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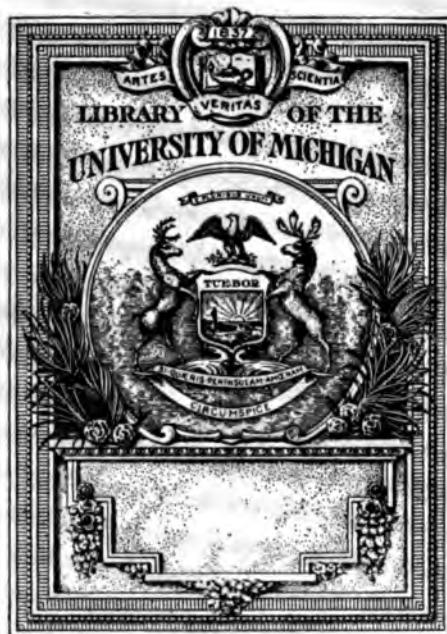
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SKETCHES

or

EARLY SCOTCH HISTORY.

EDINBURGH: PRINTED BY THOMAS CONSTABLE

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SKETCHES  
OF  
EARLY SCOTCH HISTORY  
AND SOCIAL PROGRESS

CHURCH ORGANIZATION  
THE UNIVERSITY  
HOME LIFE

By C. INNES

EDINBURGH  
EDMONSTON AND DOUGLAS  
1861

G. 63

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'the rudeness of antiquity by the art of writing.'"<sup>1</sup> The elegant and profound philosopher concludes that it is necessary to "correct our common impressions concerning the ancient state of Scotland by translating not only the antiquated phraseology of our forefathers into a more modern idiom, but by translating (if I may use the expression) their antiquated fashions into the corresponding fashions of our own times."

We cannot doubt that Dugald Stewart expressed the opinion of the literary world of his day. Perhaps he overlooked some of the causes which produced such a state of feeling. It was not merely the dreaded provincialism that was to be overcome—the nervousness which Scotchmen like Hume and Robertson felt in writing English. The educated Scot of the middle of last century had something harder to meet than gibes for his misplaced *shall* and *will*, *these* and *those*. There was at that time a dislike amounting to hatred of Scotland and Scots (not indeed unreturned), which it would be easy to trace upwards through the most popular writers of England—through Johnson and Swift, to Lord Strafford and Clarendon, and back to the fierce ballads of the Edwardian wars. But just then the nation had scarcely recovered its temper, ruffled by the Scotch invasion, when the un-

<sup>1</sup> Stewart's *Life of Robertson*, written in 1796. Was it of accident or forethought that Stewart, in praising Robertson, omitted one of the alternatives which Livy makes historical writers propose to themselves—either to give events with greater accuracy, or to conquer the

rudeness of antiquity by the art of writing?—"Aut in rebus certius aliquid allaturus, aut scribendi arte rudem vetustatem superaturus." The first was certainly not the chief object of our great historians of the last century.



popularity of the Bute ministry re-kindled the feeling, which men like Wilkes and Churchill blew into flame ; and perhaps the anti-Scotican rage was never fiercer than when the little band of Edinburgh writers claimed a hearing from English readers, a hundred years ago.

Much of the chief difficulty—the winning the ear of an English audience to Scotch history—was overcome by Robertson himself. He was skilful in selecting his period. He was a great master of the dignified style of history ; and edition after edition of his *History of Scotland* was sold,<sup>1</sup> until England was saturated with that sweet flowing narrative of the most picturesque and tragical part of our national annals.

Hume and Adam Smith were fellow-soldiers in the enterprise, and many others, whose names would be higher, had they not lived among those giants ; until it was no longer a reproach to a book to have Scotland for its subject or “Edinburgh” upon its title-page. Still, it was only the thinking people who were gained. The popular prejudice against Scotland—our condemnation in the world of fashion—lasted much longer. Scotchmen who are still writing, remember how carefully they used to guard against slips in their English—how it fettered their style and even their thoughts. Scotchmen not yet dead old, remember what pain it cost them to

<sup>1</sup> Andrew Strahan (son of his first editor) wrote to him on the 19th November 1792: “the fourteenth edition of your ‘Scotland’ will be published in the

course of the winter ; and we have the satisfaction of informing you, that if we judge by the sale of your writings, your literary reputation is daily increasing.”

mix in English society for fear of the disgraceful detection. What young Scot on first going to public school or college in England forty years ago, had not to endure the suppressed laugh, the little jeer, for his Scotch Greek or his native Doric!

The change in feeling—in kindliness towards us, the rise of a certain enthusiasm for Scotland, had its commencement no doubt in the works of Walter Scott. His national poems first, and still more his prose pictures of Scotch life and manners, won the hearts of Englishmen: and those who remember the feeling of boyish shame of being detected as Scotch, must remember also the marvellous change which a few years of the spells of the great Magician wrought upon the people of both countries—upon the proud, self-confident Englishman, and the sensitive half-sulky Scot.

One other circumstance has tended more than may be at once seen, to turn the tide of English feeling. Along with the Scotch romances which have so imbued the present generation with a kindness for the country that gave them birth, came the rapidly growing taste for Scotch sport—for the adventurous, rough life of the Highland shooting and fishing lodge. Englishmen learnt to love the scene of their youthful sport, and English women could not but sympathize with the scene of that simple, Arcadian life which women of the higher classes can taste nowhere else. And so, from all these causes, I believe it has come to pass that books about Scotland, its

history or its manners, even unimaginative serious books, are now read with patience by all but inveterate citizens of London.

It was in that belief that, twelve months ago I ventured, much doubting, to give to the public a volume about "Scotland in the Middle Ages." A large impression of that book has now been sold; and I am not without hope that the present volume, which comes lower down, and tries to join modern thought and customs to the mediæval, may be as acceptable as its predecessor.

As in that previous volume, the substance of the present has been offered to a small portion of the public before, though not in its present shape. The matter of some of the chapters has been prefixed to works printed for the Bannatyne Club; that of others to Maitland Club and Spalding Club works. As I said with regard to my Lectures, they did not thereby achieve anything to be called publicity. The societies I have named, like the Roxburghe Club of England, undertake chiefly the printing of books which cannot be popular, but which it is desirable to preserve and make accessible to the student. As to numbers, the Bannatyne Club (now defunct) consisted of a hundred members; the Maitland has somewhat fewer; the Spalding Club, a Northern institution, is larger, and reaches about three hundred. Of the members who receive the Club works, perhaps a dozen of each

of the first two— it may be twenty of the last— turn over the books, cut a few leaves (though that is rather avoided), and then the large quartos sleep undisturbed on the library shelf. Occasionally a local newspaper, of more than usual intelligence, has dug something out of those square repulsive volumes ; but I may say confidently, that to the world at large, to the reading public, even to the class who read history, the present volume is entirely new matter.

I venture to think such matter is worth knowing, and if the public is of the same opinion I am prepared to go to press with a similar one, embracing (1.) Some information on the old Scotch law of Marriage and Divorce ; (2.) A sketch of the state of Society before and after the Reformation in Scotland ; (3.) A chapter on old Scotch Topography and Statistics.

I have to express my obligation to the Marquis of Breadallbane, and to my lamented friend the late Earl of Cawdor, for allowing me to make public here the observations I had prefixed to collections of their family papers intended for a more limited circulation.

EDINBURGH, *January* 1861.

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# SKETCHES

OF

## EARLY SCOTCH HISTORY.

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### CHAPTER I.

#### CHURCH ORGANIZATION.

##### THE PARISH.<sup>1</sup>

ALMOST as early as we can throw the faint light of an imperfect history upon our country, a succession of zealous apostles of Christianity were spreading the faith over its remotest districts. Of those men only a few are now had in remembrance in Presbyterian Scotland ; yet while Ninian and his followers were preaching the gospel among the savage Galwegians, and building their white church over the waters of the Solway ; while the “ family ” of Columba were reclaiming the Pagans of the farthest Hebrides, and sending their Christian embassy and establishing their worship in Iceland ; while Palladius and his followers were planting churches in the northern mainland and the Orcades ; while Cuthbert was preaching

<sup>1</sup> The term *parish*—*parochia*—*παρoικια*—meaning any district, was at first appropriated to the diocese of a bishop.

In 1179 it is used as synonymous with *diocesis*, and applied to the Bishopric of Glasgow.—*Regist. Glasg.* In some

to the shepherds of the Border mountains— others of less name along with them and following them, were spreading Christianity in every glen and bay where a congregation was to be gathered. This is not matter of inference or of speculation. It is proved beyond question by historians like Bede and biographers like Adamnan; and their narrative receives confirmation from the result of such preaching in the general conversion of the Pagan inhabitants, as well as from certain vestiges still to be traced of the individual preachers. If a notable conversion was effected; if the preacher had, or believed he had, some direct and sensible encouragement from Heaven, a chapel was the fitting memorial of the event. Wherever a hopeful congregation was assembled, a place of worship was required. When a saintly pastor died, his grateful

instances it would seem to mean the jurisdiction rather than the district. King William the Lion, in a charter to the monks of Kelso, speaks of the waste of Selekysreke, to which he had transferred his men of Elrehope, as being "of the parish of his vil of Selechirk."— *Liber de Culchou*, p. 16. But the term soon began in Scotland to be applied, though not technically and exclusively, to the baptismal church territory. In the middle of the twelfth century, Herbert Bishop of Glasgow confirmed to the monks of Kelso the church of Molle, which Uctred the son of Liulf gave them, with the lands and *parishes* and all rights belonging to that church. — *Liber de Calchou*, p. 320. Before the middle of the following century, the parish of Molle seems to have been territorially defined, and in a controversy between Melrose and Kelso concerning it in 1269, the words parish and parishioners (*parochia et parochiani*) are used much in their present sense.— *Ibid.* p. 146. In the

year 1220 the churches belonging to the Abbey of Jedburgh are termed parishes (*parochie*), and the church of Jedburgh is styled *parochialis ecclesia*. — *Regist. Nony.* p. 97. Abbot Ailred, in describing the successful preaching of Saint Ninian among the Picts of Galloway — the crowding to his baptism of rich and poor, young and old, renouncing Satan, and joining the army of the faithful— represents him as ordaining priests, consecrating bishops, and conferring the other dignities of ecclesiastical orders, and finally dividing the whole land into parishes—*totam terram per certas parochias dividere* (apud Pinkerton *Vit. Sanct. Scot.* p. 11). It is scarcely necessary to remark that Ailred, in speaking of the acts of Saint Ninian, uses the language of his own time. Indeed that life is of little value for our inquiry, written in rhetorical style, and bearing few marks of being compiled from ancient materials. Bede speaks more correctly, when he says of Saint Cedd that he erected

flock dedicated a church to his memory. It was built, small perhaps and rude, of such materials as were most readily to be had. The name of the founder, the apostle of the village, attached to his church—to the fountain hallowed by his using it in his baptism—to the stone bed shaped for his penance, or the cleft in the rock which served that purpose—to some favourite haunt of his meditation or place of his preaching—to the fair of immemorial antiquity held there on *his* day—though forgotten by the descendants of those he baptized—often furnishes the most interesting and unsuspected corroboration of much of those church legends and traditions which, though alloyed with the fables of a simple age, do not merit the utter contempt they have met with.<sup>1</sup>

churches in many places (*fecit per loca ecclesias*), and ordained priests and deacons to assist him in preaching the faith and administering baptism.—*Hist. Eccles.* lib. iii. c. 22.

The word Shire (*schira, scyra*) so common in our older church records, is often equivalent to parish, but sometimes applies to some other "division" of church territory which we cannot now define. The divisions of North Durham were Islandshire, Norhamshire, and Bedlingtonshire. In the Merse we had Coldinghamshire; in Clydesdale, Machanshire, Kilbrideshire; in Fife, the shires of Kilrimund (Saint Andrews), Forgrund, Fotherif, Karel, Kinnahin, Kennocher, Kinninmond, Kircaladinit (Kirkaldy), Gelland, and Gatemile; in Aberdeen, Clatshire, and the shires of Tulynestyn, Rane, and Davyot.

*Plebania* is a term which occurs more rarely in our church records. It expresses a wide district of a mother church, having subordinate churches or chapels within its territory. The church of a Plebania will be found always to have

been of very high and early sanctity, and its priest or parson wielded generally some authority approaching to that of a rural dean. Of this kind was Stobo, with its four subordinate parishes of Broughton, Dawic, Drummelyier, and Tweedsmuir, where the parson was styled Dean, and was, it would seem, in very early times, hereditary, like some of the heads of the regular convents.—*Regist. Glasg.* Kinkell in Aberdeenshire was of this class, and is so named in the ancient charters.—*Regist. Aberd.*

<sup>1</sup> The Scotch hagiology abounds with personal anecdotes of the early teachers of Christianity, many bearing sufficient impress of truth; and the country is full of tradition and of something like real evidence which joins on to those legends. The venerable Bede tells us that Saint Aedan the apostle of Northumbria "had a church and a chamber (*ecclesiam et cubiculum*) near Bamborough, where he often dwelt for a time, and used to go out from thence in all directions around, preaching" (III. 17). "He used to travel everywhere, through the country and in

Near each church so built, however small and however remote—or conveniently neighbouring a group of churches—was established a band of religious men, followers of their founder, for the service of God there. We have again the testimony of Bede for the fact, that monasteries were founded for maintaining the new religion. “Churches were erected everywhere: the people flocked with joy to hear the word. Possessions and territories were bestowed by the grants of kings for founding monasteries. The children of the English were instructed, along with their elders, by Scotch teachers, in the study and practice of the monastic life; for they

the towns, not on horseback, but, unless when compelled, on foot” (III. 5). A monk of Tynemouth, not intending to celebrate Saint Aedan, writes of him thus incidentally, —“This most holy man was accustomed not only to teach the people committed to his charge in church, but also, feeling for the weakness of a newborn faith, to wander round the provinces, to go into the houses of the faithful, and to sow the seeds of God’s word in their hearts according to the capacity of each.” — *Vita Oswini, Surtees Soc.* 1838. Saint Cuthbert used the same practice in Lothian. “He used to frequent most those places, to preach most in those villages which lay far in the high and rugged mountains, which others feared to visit, and which by their poverty and barbarism repelled the approach of teachers. Those he cultivated and instructed so industriously, and so earnestly bestowed himself on that pious labour, that he was often absent from his monastery (he was then Abbot of Melrose) for weeks, or even an entire month without returning; and dwelling in the mountain countries, was continually calling the rude people to the things of Heaven, not less by his preach-

ing than by his example of virtuous life.” — *Hist. Eccles.* IV. c. 27.

The church legend records how Saint Nathalan averted a raging pestilence from his church of Buthelny by the fervency of his prayers. Long after the legend was banished from the popular mind, and the very name of Nathalan forgotten, the parishioners of Buthelny kept the eighth of January (Saint Nathalan’s day) as a feast, on which they did no work. The fairs of towns and country parishes were so invariably held on the day of the patron saint, that where the dedication is known, a reference to the saint’s day in the Breviary serves to ascertain the day of the fair. The ‘Summer-eve fair,’ known by that strange and unmeaning name in several places of the North, is now traced through the Scotch Breviary, and by the help of Mr. Reeves and his Irish learning, to its origin in honour and memory of St. Malruha (*Saint Malruve—Summarere*), the monk of Bangor, who placed his Christian colony on the wild shore of Applecross, and was had in reverence in Contin and Glen Urquhart. His festival in Scotland was held on the 27th of August. In like manner, of old, the name of Saint Cuth-

were chiefly monks who came to preach the word : and Bishop Aedan indeed himself was a monk of the island of Hii."<sup>1</sup>

That antique shape of cenobite life was perhaps more observed in Scotland than elsewhere, since Bede points to it as a peculiar custom of the Scots ; but if we reflect upon the object of the founders, and the circumstances in which they were placed, it would seem that some similar plan for continuing the rites and instruction of religion must have been adopted, wherever missionaries of a new faith found proselytes. In many instances we find lands bestowed on the new "family" or "monastery," but doubtless in the greater number the servants of the Church lived on the voluntary offerings of their flock.

bert was connected by some affectionate memorials with Melrose, Channelkirk, and Maxton, Saint Boisil with Lessud-den, Saint Kentigern himself with Borthwick or Lochorwart, where he spent eight years of his ministry.

The number of churches founded by one saint, Saint Columba, for instance, in Scotland proper, Saint Kentigern in Strathclyde and Lothian, is often wonderful, and worth remarking, even by those who find it a duty to repudiate any feeling of gratitude to those first teachers of Christianity ; and it might help a very difficult historical question, to inquire of what country and what teaching were those saints whose names are still preserved in the dedications of our churches. The Irish are better known than those who came from our other Celtic cousins of Wales and Cornwall. Saint Fergus came from Ireland, and at first lived a hermit life at Stroegeth. He founded three churches there. He next preached and baptized to the faith in Caithness. From Caithness he sailed to the shores of Buchan, where he built a church, still

called by his name. Last of all, he came to Glamis in Angus, where he chose his place of rest. There he died and was buried. But his relics, after many years, were translated to the Abbey of Scone, where they did many famous miracles. A fine spring rising from a rock below the church of Glamis is still known as Saint Fergus's well. There the first converts of Strathmore were baptized to Christianity. It would be curious to inquire why the Abbot of Scone (a singular instance) held a prebend in the cathedral church of Caithness. — *Dunrobin Charters—Breviar. Aberd.*

<sup>1</sup> " *Construebantur ergo ecclesie per loca, confluebant ad audiendum Verbum populi gaudentes. Donabantur munere regio possessiones et territoria ad instituenda monasteria, imbuiebantur a preceptoribus Scottis parvuli Anglorum una cum majoribus, studiis et observatione discipline regularis. Nam monachi erant maxime qui ad predicandum venerant : monachus ipse episcopus Aelan, utpote de insula quæ vocatur Hii.*" — *Hist. Eccles. III. c. 3.*

There is no more instructive record for ecclesiastical antiquities than the Inquest regarding the possessions of the church of Glasgow, taken by the good men of the country in 1116. Saint Kentigern was dead 500 years. The bishops, his successors, as well as the monasteries he had founded throughout his wide diocese, had died out in the storms of those centuries. During that period, or at least for the latter portion, it cannot be supposed that valuable possessions had been bestowed on a church so fallen. The property ascertained by the oaths of the inquest to belong to the church of Saint Kentigern, within the Scotch part of his diocese, must have consisted of donations to the first bishop and his early followers. The verdict of the inquest was not a mere idle tribute to the glory of Saint Kentigern. Possession followed upon it, and numerous and powerful parties, holders of the lands, had an interest in testing its truth. For our present purpose, it is sufficient to observe that the ancient possessions of the successors of Saint Kentigern consisted not of tithes, not of the dues of churches, but of broad lands and numerous manors, scattered over all the south of Scotland. There were churches, too, in that old rent-roll, though nothing approaching to the parochial divisions. In Peebles, the primeval Sec of Cumbria had "a plough of land and the church (dedicated to Saint Kentigern)." In Traquair, "a plough of land and the church." In Merebottle, "a plough of land and the church."<sup>1</sup> It is scarcely to be doubted that those ploughs of land were the portions of old set apart for the service

<sup>1</sup> *Regist. Glasg.* 1.

of those remote churches. A half *danach* seems to have been the accustomed measure of the kirk-land, settled long before existing records, in the dioceses of Moray and Aberdeen.<sup>1</sup>

A remarkable dovetailing of real or historical evidence upon church tradition occurs in the property of Dunblane. Saint Blane, for a miraculous benefit conferred upon an English prince, received the lordships of Appleby, Troclyngham, Congere, and Malemath in England,<sup>2</sup> and those manors remained the property of the See of Dunblane in the time of Fordun—a property it might be more easy to prove than to enjoy.<sup>3</sup>

In many cases, where the ancient monastery had disappeared before the period of our records, traces of its former possessions are found in the lands named Abthania or Abthane, so frequent in Angus and the neighbouring districts. Among the early gifts to the Abbey of Arbuthnot, King William granted "the church of Saint Mary of Old Munros, with the land of that church which in Scotch is called *Abthen*." That Scotch word is translated in another charter *terra abbacie de Munros*. Malcolm Earl of Angus gave to Nicholas, son of the priest of Kerimure, the land of Abthein of Munifeith; and the Countess Maud confirming that gift, describes it as "the land lying on the south of the church of Munifeith, which the Culdees had."<sup>4</sup> King David I. granted to Matthew the Archdeacon of Saint Andrews, the *Abbasia* of Rossinclerach, in fee and heritage, to him *and his heir*, to be

<sup>1</sup> *Regist. Morav.* 83, 85, &c.

<sup>2</sup> *Brev. Abendon.* f. lxxvii.

<sup>3</sup> *Scotichron.* lib. xi. c. 21.

<sup>4</sup> *Regist. Aberd.* pref. p. xiv.



held as freely as any Abbacy in Scotland is held.<sup>1</sup> There can be no doubt that those were possessions of the primeval church, and one of them had passed but lately from the hands of the aboriginal holders, the Culdees.

In the centuries of intestine wars and barbarian invasions that followed the first planting of Christianity in Scotland—in those ages of anarchy and confusion which have left a mere blank on that page of our history—many of these families of religious died out; many of their churches doubtless fell without record or remembrance. But many still lived in the memory or tradition of a grateful people, and there still survived some of the religious houses—still stood a few of the old time-honoured churches of the earlier light, when the dawn of a second day rose upon Scotland.

There is every reason to believe that most of the monasteries which were found subsisting in Scotland when David I. began his Church reform, were of that primeval foundation—the institutions of the great preachers of the truth to whom Scotland owes its Christianity. Such probably were the monastery of Dunkeld, founded by Columba or his immediate followers, Dunblane, Brechin, Saint Andrews, Saint Servan's of Lochleven, Culdee houses of high and unknown antiquity; Abernethy, with its hereditary lords; Scone, the place of coronation from time immemorial; Dunfermline, then dedicated to the Blessed Trinity and to no saint; Culross, where Saint Servan already led a monastic life when the infant Saint Kentigern and his mother were

<sup>1</sup> *Regist. S. Andr.* p. 200.

washed ashore on the white sands of its bay. In the north, Monymusk, a house of Culdees, was another of those foundations of immemorial antiquity. When the Bishopric of Aberdeen was founded in the twelfth century, part of its endowments were "the monastery of Cloveth," and "the monastery of Murthillach, with its five churches and the lands pertaining to them"<sup>1</sup>—all plainly the vestiges of that cenobite system which had sufficed, however imperfectly, to keep Christianity alive, before a secular clergy was provided or the parochial system thought of.

Our imperfect acquaintance with the first Christianizing of Scotland ceases with the seventh century. The four ages that follow are all darkness. The twelfth century is the renewal of light, and at the same time the era of a great revolution in society. The natives of our country were now all Christians. At least the old Pagan religion as a creed had disappeared, leaving some faint traces in popular rites and usages. Writing was coming into use, and lands began to be held by written tenures. But more important still, a new people was rapidly and steadily pouring over Scotland, apparently with the approbation of its rulers, and displacing or predominating over the native or old inhabitants. The marriage of Malcolm Canmore with the Saxon Princess Margaret has been commonly stated as the cause of that immigration of Southerns. But it had begun earlier, and many concurring causes determined at that time the stream of English colonization towards the Lowlands of Scotland.

<sup>1</sup> *Regist. Aberdeen.* p. 6.

The character of the movement was peculiar. It was not the bursting forth of an overcrowded population, seeking wider room. The new colonists were what we should call "of the upper classes"—of Anglian families long settled in Northumbria, and Normans of the highest blood and names. They were men of the sword, above all servile and mechanical employment. They were fit for the society of a court, and many became the chosen companions of our Princes.<sup>1</sup> The old native people gave way before them, or took service under the strong-handed strangers. The lands those English settlers acquired, they chose to hold in feudal manner and by written gift of the Sovereign; and the little charter with the King's subscribing cross (+), or his seal attached, began to be considered necessary to constitute and prove their rights of property. Armed with it, and supported by the law, Norman knight and Saxon thegn set himself to civilize his new acquired property, settled his vil or his town,<sup>2</sup> built himself a house of fence, distributed the lands of his manor among his own few followers and the *nativi*

<sup>1</sup> The names of the witnesses to the charters of David I. and his brothers would prove this without other evidence. It is astonishing with what rapidity those southern colonists spread even to the far north. From Tweed and Solway to Sutherland, the whole arable land may be said to have been held by them. The great old houses of Athol, Lennox, and Stratherne, were within the fastnesses of the Highlands. Angus soon came into the De Umphravils through marriage. But of the race of the English colonists came Bruce, Balliol, Bisset, Berkeley, Colville, Cumin, Douglas, Dunbar—descended of Northumbrian princes, long themselves princes in the Meuse—Flem-

ing, Fraser, Gordon, Hamilton, Lindsay, Maule, Maxwell, Morevil, Moubray, De Quinci, Ruthven, Stewart, Sinclair, Somerville, Soulis, Valoines, Wallace, and many other names, not less powerful, though less remembered.

<sup>2</sup> We might expect the termination *vil*, which appears in Maccus's town of Maxwell and a few others, to be much more common, looking to the great number of Norman settlers, whose language must have been French. But the Anglian tongue prevailed, and the *villa Leringi*, *villa Edulgi*, *villa Thancardi* of the charters was translated and naturalized as Levingston, Edulston, and Thancartun.

whom he found attached to the soil, either to be cultivated on his own account, or at a fixed “ferm” on the risk of the tenant.

Upon many of these manors still existed some of the old churches placed there as early as Christianity itself. On some few of them remained also the family or small convent of religious originally founded and endowed for their service. As yet, it would seem, were no tithes paid in Scotland—certainly no appropriation of ecclesiastical dues to any particular church. But through all Christendom the Church was then zealously inculcating the duty of giving tithes to the secular clergy. The new settlers in Scotland were of the progressive party, friends to civilisation and the Church. They had found churches on their manors, or if not already there, had erected them. To each of these manorial churches the lord of the manor now made a grant of the tithes of his estate—his right to do so does not seem to have been questioned; and forthwith the manor—tithed to its church—became what we now call a parish.

Take as an instance, where we see the whole causes in operation, the parish of Ednam in the Merse. King Edgar, the eldest brother of David I., bestowed upon Thor, an Englishman, the land of Ednaham (*the home on the river Eden*) unsettled (*desertam*). Thor, who was called *longus*, a tall man of his hands, with the King's assistance, but with his own money, cultivated and settled that desert. It became his manor, and there he erected a church—*ecclesiam a fundamentis fabricavi*, says Thor, in his charter. The King and Thor together

endowed the church with the customary ploughgate of land, and dedicated it to their honoured patron Saint Cuthbert. The church of Ednam next obtained the tithes and dues of the manor; and then it became an object of desire to the monks of Coldingham. The kings of Scotland of that family were in an especial manner devoted to Saint Cuthbert, and nothing was to be refused that could obtain the donor a place in the *Liber Vitæ* of the convent. Accordingly, Thor, for the weal of King Edgar's soul, and the souls of Edgar's parents and brothers and sisters, and for the redemption of his own beloved brother Lefwin, and for the weal of his own soul and body, gave to Saint Cuthbert and his monks of Coldingham the church of Ednam and the ploughgate of land with which it was endowed by him and King Edgar.<sup>1</sup>

The formation of the parish of Melrose must have been subsequent to the removal of the Abbey from Old Melros to its present site. King David, at new founding the monastery, granted to the monks the *lands* of Melros, Eldune, Dernwic, Galtuneshalech, Galtuneside. King Malcolm added one stead in Cumbesley. King William, Alan the Steward, and the De Morevils gave Alewentshawis, Threpuude, Bleneslei, Milcheside, Solowlesfelde, and part or the whole of Cumbesley, Buchelm, and Witheley—which seem to include all that formed the parish at the Reformation and now. The Abbey church

<sup>1</sup> Anderson's *Diplom. Scotiæ*. Raine's *North Durham*. The original charters are in the Treasury at Durham. Thor was in earnest. His grant to the monks ends with this imprecation: "Siquis

*hanc meam donationem aliqua vi vel ingenio auferre presumpserit, auferat ab eo Deus omnipotens vitam regni celestis et cum Diabolo et angelis ejus penas sustineat eternas. Amen.*"

served as the parish church. Here there was no rector and vicar, at first no landlord and tenant; and, more remarkable still, no tithes. The monks were proprietors and cultivators, parishioner and parson.

King Alexander II. in granting to Melrose his "whole waste" of Ettrick in 1235, makes no mention of a church. The monks must have built a church after receiving the lands, and it would appear that to enjoy the parochial rights required no new charter.

Thus constituted, the parish often still farther followed the fortunes of its parent manor. When a large manor was subsequently split into several lordships, it often became desirable that each should have a separate church.

In the beginning of the twelfth century, Wice bestowed on the monks of Kelso the church of his manor of Wicestun (Wiston), with its two chapels, namely, that of the "town" of Robert brother of Lambin, and the chapel of the "town" of John stepson of Baldwin. A third chapel sprung up afterwards within the bounds of this manor of old Wice, which was situated on the land of Simon Loccard. In the next century all these chapels acquired independence and parochial rights by steps which may be easily traced, and from them have arisen the existing parishes of Robertson, Crawford John, and Symington.

In the year 1288, the Knights Templars obtained the privilege of an independent chapel for their lands in the parish of Culter on the banks of the Dee, chiefly on the ground that their people were separated from the parish church (the property of the monks of Kelso) by a great

river without bridge, which they could rarely cross, and were thus deprived of the rites of the church, to the great peril of their souls.<sup>1</sup> The chapelry soon rose into a separate parish, and in this transaction we have the origin of the parishes of Peter Culter and Mary Culter, separated by the Dee.

The parish of Glenbuchat owes its erection to a tragical incident. Its separation from its parish church of Logy Mar, by high hills and streams subject to frequent floods (*propter pericula . . . inundationibus aquarum infra terram inhabitabilem in monte et deserto*), had long been felt a grievance. But at length, on an occasion when the people of the glen were crossing to celebrate Easter in the church of Logy, they were caught by a storm in which five or six persons perished. The bishop thereupon issued a commission for arranging the separation of Glenbuchat, and endowing a resident chaplain.

Sometimes a lord of a castle within the parish wished to have an independent chapel in his own castle or near by. William de Moravia, in the beginning of the thirteenth century, granted to the chapter of Moray the church of his manor of Artendol (*Arndilly*) with its tithes and dues; but reserved the tithes of two dauachs next his castle of Bucharm (namely, the dauachs of Bucharm and Athenacork, *f. Auchluncart*), which he assigned for the support of a chaplain in his castle.

A careful arrangement was made when Walter of Lindesei desired to have a chapel at Lamberton. Arnold

<sup>1</sup> *Regist. Aberd.* p. 286.

the Prior of Coldingham, to whom belonged the parish church, consented that he should have mass celebrated during his life, in the chapel which he had built in his court (*curia*) of Lamberton; and Lindesei swore that the mother church should in nothing suffer thereby. It was provided that there should be no access to the chapel, but through the middle of his hall or chamber. The service was to be by the chaplain of the mother church whom he should deal with to celebrate there. There was to be no celebration of mass there on the five festivals of Christmas, the Purification, Pasch, Pentecost, and the feast of the dedication of the church, that the oblations might not be withdrawn from the parish church.<sup>1</sup>

Sometimes a burgh grew up in the midst of a great ancient parish, and required a separate church and cemetery and independent parochial rights. It was in this manner that the parish of Edinburgh was carved out of the heart of Saint Cuthbert's, and Aberdeen out of the great parish of Saint Machar. In such cases, the rights of the mother church were first to be considered. By a transaction with the incumbent and the patron, sanctioned by the Ordinary, these might be acquired. But in many cases the new church was endowed separately, and the whole tithes, oblations, and dues of every sort which at first belonged to the mother church were reserved to her. In her alone was the right of baptism, of marriage, and of burial, and if the act was performed elsewhere, to her still belonged the valuable dues attending it.

<sup>1</sup> Raine's *North Durham*, Append. p. 649.



The clashing rights of the chapel and the parish church were very anxiously settled in the case of the chapel of the royal castle of Stirling, which was of such importance as to be decided in presence of the King, David I., his son Prince Henry, and their barons. The record bears that the King's barons all remembered that on the day on which King Alexander had made that chapel be dedicated, he granted to it the tithes of his demesnes in the soke of Stirling whether they should increase or decrease. Moreover they considered that the parish church of Eccles ought to have all the tithes paid by the Hurdmen and Bonds and Gresmen with the other dues which they owe to the church: and that whoever died, whether of the demesne lands, or of the parish, their bodies should lie in the parish cemetery, with such things as the dead ought to have with them to the church; unless by chance any of the burghers die there suddenly. . . . And if the demesnes shall increase by grubbing out of wood or breaking up of land not tilled before, the chapel shall have the tithes. . . . And if the number of men of the demesne increase, the tithes of them and of all who cultivate it shall go to the chapel; and the parish church shall have their bodies. And to all these men, whether of the demesne or of the parish, the parish church shall minister all the Christian rites, on account of the dignity of sepulture—(*omnes rectitudines christianitatis, propter sepulture dignitatem, faciet*).<sup>1</sup> It is remarkable that this proceeding took place in the King's court (*apud castel-*

<sup>1</sup> *Regist. Dunferm.* p. 4.

*lum puellarum*), not in an ecclesiastical tribunal—the Bishop of Saint Andrews and the Abbot of Dunfermline being parties, the latter having right to the chapelry of the castle. The parish here called Eccles (*ecclesia*), and also known as Kirktoon, was the parish of Stirling, at that time comprehending, besides the castle, the chapelries of Dunipace and Lethbert, which were afterwards raised into independent churches.

This goodly framework of a parochial secular establishment was shipwrecked when scarcely formed. Monachism was then in the ascendant in all Europe. The militia of the Papal power, the well-disciplined bands of “regulars,” were already fighting the battle of Roman supremacy everywhere, and each succeeding year saw new orders of monks spreading over Europe, and drawing public sympathy by some new and more rigorous form of self-immolation. The passion or the policy of David I. for founding monasteries and renewing and re-endowing those that previously existed, was followed by his subjects with amazing zeal. The monastery perhaps was building on a spot endeared by the traditions of primeval sanctity. The new monks of the reformed rule of Saint Benedict or canons of Saint Augustine, pushing aside the poor lapsarian Culdees, won the veneration of the people by their zealous teaching and their asceticism. The lord of the manor had fixed on the rising abbey for his own sepulture or had buried in it his first-born. He was looking to obtain the benefit of being one day admitted as a brother to the spiritual benefits of the order. Every motive conspired to excite his munificence. Lands were

heaped upon the new foundation : timber from his forest, and all materials for its buildings ; rights of pasture, of fuel, of fishing, were bestowed with profusion.<sup>1</sup> When these were exhausted, the parish church still remained. It was held by a brother, a son, or near kinsman. With the consent of the incumbent, the church and all its dues and pertinents were bestowed on the monastery and its patron saint for ever—reserving only a pittance for a poor priest to serve the cure, or sometimes allowing the monks to serve it by one of their own brethren. In one reign—that of William the Lion—thirty-three parish churches were bestowed upon the new monastery of Arbroath, dedicated to the latest and most fashionable High Church saint, Thomas a Becket.

The consequences of such a system were little thought of, and yet they might have been foreseen. The tithes

<sup>1</sup> Malcolm Earl of Athol, for the souls' weal of the kings his predecessors who rest there, granted to the monks of Dunfermlin the church of Molin and three ploughgates of land ; and in presence of the King, the Bishops, Abbots, Earls, and other good men of the kingdom, he and his Countess Hextild "rendered themselves to the church of Dunfermlin, that when they died, they should be buried there." — *Regist. Dunferm.* 147.

Before the middle of the thirteenth century, Duncan Earl of Mar gave the church of Logyrothman to God and the church of Saint Mary and the canons of Aberdeen, for the maintenance of a chaplain, to celebrate for his soul in that church of Aberdeen, where he had vowed and bequeathed his body to be buried (*ubi rovi et legavi corpus meum sepeliendum*) among the venerable fathers the bishops there buried. — *Regist. Aberd.* p. 16.

In the reign of William the Lion, Robert de Kent gave a territory in Innerwic to the monks of Melros, adding this declaration—"And be it known I have made this gift to the church of Melros, with myself (*cum meipso*), and the monks have granted me their cemetery and the service of a monk at my decease, and if I be free and have the will and the power, the monks shall receive me in their convent." — *Lib. de Melros*, 59.

Gilbert Earl of Strathorne and his Countess Maud who founded Inchaffray in 1200, declared they so loved the house that they had chosen it as the place of burial for them and their successors, and had already buried there their first-born ; for the repose of whose soul chiefly it was that they so bountifully endowed the monastery. At the same time they bestowed five parish churches upon it. — *Lib. Ins. Missar.* pp. 3-5.

and property which the Church had with much difficulty obtained for the support of a resident parochial clergy, were in a great measure swallowed up by the monks. The monasteries became, indeed, and continued for some ages, the centres and sources of religion and letters, the schools of civil life in a rough time, the teachers of industry and the arts of peace among men whose sloth used to be roused only by the sound of arms. But even the advantages conferred by them were of small account in contrast with the mischief of humbling the parish clergy. The little village church preserving the memory of some early teacher of the faith—with its modest parsonage, where were wont to be found the consolations of religion, refuge and help for the needy, encouragement for all in the road to heaven—was left in the hands of a stipendiary vicar, an underling of the great monastery, ground down to the lowest stipend that would support life, whose little soul was buried in his cloister, or showed its living activity only in disputing about his needful support with his masters at the abbey, while his “hungry sheep looked up and were not fed.” The Church, which ignorantly, or for its own purposes, sanctioned that misappropriation, paid in time the full penalty. When the storm came, the secular clergy were degraded and powerless; the regulars, eating the bread of the parish ministers, themselves idle or secularized, could not be defended.<sup>1</sup>

<sup>1</sup> Baptismal churches were held by religious foundations in Scotland before the reconstruction of the Church in the beginning of the twelfth century, and even, as has been shown above, in the earliest state of ecclesiastical polity which we

know of. Then, however, there were no endowed seculars. The monks were parish priests merely living in communion. Before the reign of Alexander I., before, also, any certain record, Maldwin, Bishop of Saint Andrews, had given to

The chief sources of parochial history in Scotland are the Chartularies or Registers of the Religious houses and Bishoprics. The Record of the Bishop necessarily furnishes information regarding the property and rights of the secular churchmen, and the ecclesiastical affairs of the whole diocese. But the monks had soon acquired such a large proportion of the parish churches—their transactions with neighbours involved the interest of so many more; above all, they were so careful recorders, that the muniment book of a great abbey is generally the best guide to the parish antiquities of its district.

Of the Bishoprics of Scotland, only four have left extant Chartularies, Aberdeen, Glasgow, Moray, and Brechin, all which have now been printed. Many of the Chartularies of the religious houses are also in print,<sup>1</sup> and

God and Saint Servan and the Keledees of the isle of Lochleven the church of Marchinche: Bishop Tuadal had bestowed on them the church of Sconyn, with all liberty and honour; and Bishop Modach the church of Hurkenedorath on the same Keledees eremites. All their churches of old came from bishops. Laymen gave lands.—*Regist. S. Andr.* pp. 116, 117.

In like manner, perhaps by a still earlier tenure, the monks of Iona had right to four churches in Galloway. King William granted to Holyrood the churches or chapels in Galloway, *que ad jus abbacie de Hii Columchille pertinent*.—*Charters of Holyrood*, 51.

<sup>1</sup> The printed Registers of the Religious Houses of Scotland are those of The Abbey of Arbroath, of Tironensian Benedictines, two parts. Balmerino, of Cistercian Benedictines. Dryburgh, of Premonstratensian Augustinians. Dunfermline, of Benedictines.

Glasgow, Collegiate Church of Saint Mary and Saint Anne.  
Glasgow, Friars Preachers.  
Inchaffray, of Canons Regular.  
Holyrood, of Canons Regular.  
Kelso, of Tironensians.  
Lindores, of Tironensians.  
Melrose, of Cistercians.  
Neubottle, of Cistercians.  
North-Berwic, of Cistercian Nuns.  
Paisley, of Cluniac Benedictines.  
Saint Andrews, of Canons Regular, the Chapter of the Bishopric.  
Scone, of Canons Regular.  
The Collegiate Church of St. Giles, Edinburgh.

A great body of the charters and muniments of the Benedictine monastery of Coldingham, and among them the most ancient Scotch writings extant, have been printed by the Rev. James Raine in his History of North Durham, and in a volume of "The Priory of Coldingham."—*Surtees Society*, 1841.

Of chartularies hitherto unprinted the list is smaller:

though the impression of both classes was always limited, copies are to be found in all great libraries.

This great store of Church records is as yet little known. None of the Chartularies were printed when Chalmers was engaged on his Caledonia, and the imperfect copies of the MSS. which he procured often misled him. But the study of such records is still in its infancy among us, and unluckily the Scotch student of church antiquities, who has read only the writers of his own country, has much to unlearn before he can appreciate or admit the simple truth as it flows from charter and documentary evidence.

One important document which has never been used at all, occurs in many of the chartularies. This is the ancient valuation of the churches and benefices of Scot-

A little Register is preserved at Aberdeen, of the charters of the ancient parish church of Saint Nicholas of Aberdeen.

The Register of the Priory of Beaulieu, of Benedictines of Vallis Caulium, the foundation of the old family of Lovat, is still hid in some northern charter-room. It has not been seen since the days of Sir George Mackenzie, who quoted its contents. Copies of a few of the Priory charters are preserved.

A very formal transumpt or copy under the Great Seal, of the charters of the Abbey of Canons Regular of Cambuskenneth, near Stirling, is preserved in the Advocates' Library. It was made in 1535, under the direction of Abbot Mylne, the first President of the Court of Session, to supply the defect of the original charters, almost destroyed by reason of the dampness of the place where the abbey stood.

The Cistercian nuns of Coldstream had a careful Register of their muniments, executed in 1431. It is preserved in the

British Museum. — *Hartl. MSS.* 6670, 4to, 55 leaves.

Crossregal, a house of Cluniac monks in Carrick, had a register of its charters, which was in the custody of the Earl of Cassilis when the learned Thomas Innes was in Scotland collecting materials for his historical essay published in 1729. — *MSS. Note-Books in the possession of Mr. D. Laing.*

The Cistercian Abbey of Coupar in Angus had a Register which was noted by Sir James Balfour, and quoted more lately by the more accurate Sir James Dalrymple at the beginning of the last century. It is not now known to exist. A fragment of an abridgment is at Panmure.

A chartulary of the collegiate church of Crail is in the Advocates' Library.

A chartulary of the Cistercian Abbey of Glenluce in Galloway was used by Thomas Innes (*Thomas Innes' MSS. notes*). If it still exist, its place of custody is not known.

The Register of the Abbey of Canons

land. It is found in whole or partially in the Registers of Saint Andrews, Dunfermline, Arbroath, Aberdeen, Moray; and it may be proper to give some account of the appearance of that document in these different Registers.

From the earliest time when the clergy could be considered a separate estate and with common interests, they required funds for general objects, and it was necessary to ascertain the proportion of the common burden to be borne by each. From an early period also, Rome claimed some small tax from beneficed churchmen, and the Roman legates, when suffered to enter Scotland, extorted considerable sums as "procurations."<sup>1</sup> On the other hand, the clergy, as a body, had often occasion to support a common cause at the Roman court, and it was not only for the expenses of their commissioners that money was required: the party pleading empty-handed at Rome was not found to be successful. In process of time, and as society advanced, and national taxes began to be levied, the clergy were not exempt.<sup>2</sup> They were represented in

Regular of Inchcolm is preserved in the library at Donybriale.

Kilwinning in Cunninghame, an Abbey of Tironensians, had a register which would be of great importance to Ayrshire history. It was quoted by Timothy Pont in the beginning of the seventeenth century, and was seen by Thomas Innes, "in the possession of the Earl of Eglinton," early in the last. It is probably still lying unknown at Eglinton. Pont describes the chartulary as in the Earl of Eglinton's possession, and Thomas Innes' MS. notes quote it--*pence com. Eglinton*.

A small register of the charters of the Augustinian Canons of Saint Anthony

of Leith is preserved in the Advocates' Library.

A little chartulary of the Hospital of Soltra, founded for the relief of poor travellers on "Soltra edge," at the head of the pass between Lothian and Lauderdale, is in the same Library.

<sup>1</sup> The Legate Ottobon, afterwards Pope Adrian v., in 1266, claimed six marks from each cathedral in Scotland, and the enormous sum of four marks from each parish church for the expense of his visitation. Those visitation dues of bishops and others were technically named "procurations."

<sup>2</sup> The Cistercians pleaded an exemption, but in fact paid under protest.

the national council, and contributed their full share to the national expenses.

On all accounts, therefore, a valuation of church livings was required, and a *taxatio ecclesiastica* existed at least as early as any extent or valuation of lay lands.<sup>1</sup> It was known as the *antiqua taxatio*, and the clergy strenuously, though not always successfully, resisted all attempts to vary it according to the progressive value of livings. One instance of this is noted by our historians. The successive Popes, Innocent III., Honorius III., and Gregory IX., were zealous in preaching the sixth Crusade, and levied forces and money over all Europe. Scotland, richer in soldiers than in gold, sent at first her share of crusaders to the Holy Land. A subsequent demand in 1221, made by the Legate Cardinal Giles de Torres, produced a considerable sum of money from the clergy and laity; and the Legate Otho was again successful in obtaining a large sum of money in 1239. The Crusade failed, and the best blood of France and of all Europe was shed in Asia in vain.

To promote the last Crusade greater exertions were made, and some of a nature which we should think not only objectionable, but little likely to be productive. In 1254, Innocent IV. granted to Henry III. of *England*, provided he should join the Crusade, a twentieth of the

Perhaps the earliest general tax sufficiently evidenced is that for the ransom of William the Lion from his English captivity. The Cistercians bore their share, but obtained the King's guarantee that it should not prejudice their general right of exemption from all taxation. — *Lib. de. Metros*, p.16. *Dipl. Scotie*, p. 26.

<sup>1</sup> That it existed in the reign of William the Lion, is evident from the phrase apparently applied to the tax for the King's ransom — *Geldum regium quod communiter capiatur de terris et de elemosynis per regnum Scotie*. — *Regist. S. Andr.* p. 212.



ecclesiastical revenues of *Scotland* during three years, and the grant was subsequently extended. In 1268, Clement IV. renewed that grant, and increased it to a tenth, but when Henry attempted to levy it, the Scotch clergy resisted and appealed to Rome. It is not probable that Henry was successful in raising much of the tenth in Scotland, though the expedition of his gallant son to the Holy Land both supported his claim and rendered the supply more necessary.

In 1275, Benemund or Baiamund de Vicci, better known among us as Bagimond,<sup>1</sup> came from Rome to collect the tenth of ecclesiastical benefices in Scotland for the relief of the Holy Land. The English King's grant had by this time ceased, and Baiamund was evidently collecting for the Pope. The clergy of Scotland did not so much object to the imposition as to the mode of its

<sup>1</sup> Fordun calls him Magister Bajamon-dus. There is no greater reproach to our old Scotch writers of law and history than the blunders they have made about this man and his tax. Skene says, "The Pope in the time of James III. sent in this realm an cardinal and legate called Bagimont quha did mak ane taxation of all the rentalles of the benefices."—*De verb. signif.*, voce *Bagimont*. Bishop Lesly places him still lower, in the reign of James IV. Hailes points out these gross blunders, and adds,—"This may serve as a sad specimen of the inattention and endless errors of our historians."—*Hist. Memorials*, anno 1275. But this is a fatal subject. The careful Annalist himself in the next sentence commits a strange error. Quoting a notice of one of the lost Scotch records—a notice drawn up by an English clerk—he reads the words, *Bulla Innocentii quinti de concessione decime Papalis in regno*

*Scotie domino REGI si voluerit terram sanctam adire*—"an offer to grant the papal title to ALEXANDER III. KING OF SCOTS, providing he repaired to the Holy Land."—*Ibid.* But the King to whom the offer was made was Edward I.—THE KING of the scribe.

Another writer, to be mentioned with all respect and honour, Mr. Raine, has fallen into some errors on this same subject. He mistakes the renewal by Pope Nicholas III. for the original Bull of concession, though the latter is expressly referred to in it. He speaks of Scotland as "under the yoke of England" in 1279, when Alexander III. still reigned, etc. Moreover, the tax-roll which he gives, and which is so important for Scotch history, is not printed with the usual accuracy of the historian of Durham.—*Priory of Coldingham, a Surtees volume*, 1841. Pref. p. xi. and Appendix. p. cviii.

collection, which here, however, affected the amount. They insisted for their ancient valuation as the approved rule of apportioning all Church levies, and they even sent the collector back to Rome to endeavour to obtain this change—"to entreat the Pope," says Fordun, "on behalf of the clergy of Scotland, that he would accept the ancient taxations of all their goods, counting seven years for six."<sup>1</sup> Their appeal was unsuccessful. The Pope insisted on the tenth according to the true value—*verus valor*—of the benefice ; but he probably found the collection troublesome or unproductive, for a year afterwards, he again made a grant of the Scotch tenth to Edward I. of England. That bull is not known to be extant ; but in a bull of confirmation granted in the second year of his papacy (1279), Nicholas narrates his previous grant to Edward of "the tenth of church rents and incomes in the kingdoms of England and Scotland, and in Ireland and Wales, for the relief of the Holy Land," and declares that the same shall be paid according to the true value—*verus valor*.<sup>2</sup> Not only was that tax granted, but it was actually collected, at least in part ; for Mr. Raine has found in the Treasury at Durham, along with a most valuable "taxa" of the Archdeaconry of Lothian, written in the beginning of the reign of Edward I., a receipt by the Prior of Coldingham, the deputy-collector of the tax, for the sum due by the Prior

<sup>1</sup> Repedavit ad curiam Romanam, dominum Papam pro clero Scotie precaturus ut antiquas taxationes omnium bonorum suorum acciperet, septem annis utique pro sex computatis. — *Scotichron.* x. 35.

<sup>2</sup> The Bull is printed from the original in the Chapter House, Westminster, by Mr. Raine in the Surtees volume of Coldingham quoted above, Pref. p. xii.

of Durham in respect of his income within that arch-deaconry, dated in 1292.<sup>1</sup>

The churchmen were careful of their old valuation. It is found engrossed in the chartularies both of seculars and regulars, each preserving the tax of the diocese which interested its own body ; and the parts thus saved give us, beyond doubt, the state of church livings as in the beginning of the 13th century, and but little altered probably since the period which followed immediately on the great ecclesiastical revolution under David I.

The ancient taxation of the churches of the bishopric of Saint Andrews, divided into its eight deaneries of Linlithgow, Lothian, Merse, Fotherif, Fife, Gowry, Angus, and Mearns, occurs in the registers of the priory of Saint Andrews, of Arbroath, and of Dunfermline, in each in handwriting of the thirteenth century.

The ancient taxation of the small diocese of Brechin is found in the Register of the monastery of Arbroath, which had large possessions and several churches in that bishopric.

That of Aberdeen, divided into its three ancient deaneries of Mar, Buchan, and Gariauch, is in the Register of Arbroath, in a hand of the thirteenth century ; and in the Register of the bishopric of Aberdeen, in writing of the fifteenth century, divided then into the five deaneries of Mar, Buchan, Boyn, Gariauch, and Aberdeen.

The taxation of the churches of the bishopric of Moray, under its four deaneries of Elgin, Inverness, Strathspey, and Strathbolgy, occurs only in the Register of the dio-

<sup>1</sup> *Ibid.* Pref. p. xii.

cese, in a hand of the latter half of the thirteenth century. After the summation of the value of the churches of each deanery, there follows a calculation of the tenth payable out of it.<sup>1</sup>

It will be seen that this record gives us a foundation of parochial statistics for all the eastern side of Scotland, from the Border to the Moray Firth. The western, central, and northern districts unfortunately want that guide.<sup>2</sup>

We may regard the valuation of the Archdeaconry of Lothian, as preserved among the Prior of Coldingham's accounts at Durham, as the oldest fragment of the taxation, according to the *verus valor*, inflicted on the Scotch clergy by Baiamund in 1275. The sum of the valuation of that Archdeaconry, according to the *Antiqua Taxatio*, was £2864, a tenth of which is £286. The tenth, according to the Durham Roll, or *verus valor*, is £420.

The new census, professing to estimate the real value, was necessarily fluctuating. Unfortunately, we have no early copies of it, except the tax-roll of Lothian preserved at Durham. Long known and hated among us as "Bagimont's Roll," only one copy, a late and bad one, has been noticed by our old lawyers, and it has suffered greatly in subsequent transcription.<sup>3</sup> In the shape which

<sup>1</sup> Thus, at the foot of the column of the Deanery of Elgin—*Summa*, £338, 16s. *Decima inde*, £33, 16s.—*Regist. Morav.* p. 362.

<sup>2</sup> There is no *Antiqua Taxatio* yet found of the dioceses of Glasgow, Galloway, Dunblane, Dunkeld, Argyll, Isles, Ross, Caithness, Orkney.

<sup>3</sup> Habakkuk Bisset, who has preserved

it, assures us that the extract "was fund be the provinciall of the quhyte or carmelat frieris of Aberdene, called dene Johnne Christisone, the principall provynciall of the said freiris and of Scotland for the tyme, and wes dowbled or copied be ane chaipplane of Auld Aberdene, called Doctoure Roust."—*See Regist. Glasg.* Pref. p. lxii. Bisset was

it now bears, Baiamund's Roll can be evidence for nothing earlier than the reign of James v. It taxes collegiate churches, all late foundations, among parish churches,<sup>1</sup> though they had no parochial district; and it omits all livings below forty marks. The rectories in the hands of religious houses are not taxed specifically, but vicarages held separately, and exceeding that value, are given. This Roll, as we now have it, may be considered as giving imperfectly the state of the church livings of Scotland in the reign of James v.

The large, though imperfect body of records which I have described, is the foundation of our statistical and local history. From them, or by their guidance, have already been compiled some large volumes of the parochial antiquities of Scotland,<sup>2</sup> and they furnish nearly all the materials we have for the "County histories," which are still to come in our national literature. In these chapters, I am desirous of trying whether the same materials can give us an intelligible view of Churchmen, regular and secular—of the Cathedral organization, and the life of the Convent.

servitor or clerk to Sir John Skene, the first editor of our ancient laws. Friar John Christison is found as sub-prior of the Friars Preachers of Elgin, 16th November 1543.—*Innes Papers*, p. 108. It is now impossible to say whether Bisset or Doctor Roust, or even some previous transcriber, should bear the blame of the inaccuracies with which this only copy abounds.

<sup>1</sup> Among the collegiate churches entered in Baiamund is Crail, a foundation of 1517.

<sup>2</sup> Of the *Origines Parochiales* of the Bannatyne Club three volumes have been printed. There are three of a similar kind, illustrating the shires of Aberdeen and Banff, printed by the Spalding Club.

## THE CATHEDRAL.

The antiquity, the completeness, and the fine state of her records, give to Glasgow the first place in the history of Scotch bishoprics. The care with which these records were preserved, the interest that gathered round them when they were regarded as the prop of Stuart and royal legitimacy, their danger during the French Revolution, and their fortunate restoration to Scotland, form an interesting chapter for the antiquary, but cannot find room here.<sup>1</sup>

There is no reason to doubt, that about the middle of the sixth century, Saint Kentigern, deriving his faith and consecration from Servanus and Palladius, having been obliged for some time to seek shelter in Wales, returned and settled his colony of converts at Glasgow, a place then within the dominions of a petty prince of Cumbria. This little Christian family, which the monks of a later age chose to name a monastery, devoted themselves to rural industry, and learned, with their first lessons of a purer faith, many of the arts of peaceful life. Their founder and guide had at first perhaps no larger diocese. He was one of those *Episcopi Britannorum*<sup>2</sup> who are mentioned from time to time in the history of the Church ;

<sup>1</sup> See Appendix i.

<sup>2</sup> In the letter of Ralph, Archbishop of Canterbury, to Pope Calixtus II., written between 1119 and 1122, against the encroachments of York, claiming to be a metropolitan see, the Archbishop argues that the claim must be unfounded, since it is absurd to speak of a metropolitan without suffragan bishops. It appears that Thurstan of York, to meet

this argument, had claimed Glasgow and Durham as his suffragans, to which Ralph's reply is as follows :—“ At vero de Glesguensi breviter intimandum, quod est antiquorum Britonum episcopus, quos beatus pater Gregorius singulatim episcopo Cantuariensi subjectos fore decrevit, cujus viz. ecclesie episcopus sicut a majoribus natu illorum traditur usque ad hec Normannorum tempora,

but always with a vagueness, marking the distance and obscurity of the people amongst whom they exercised their ministry. Of his successors we unfortunately know little, until the period embraced by the venerable Register of the Diocese ; for the names of some intermediate bishops appear to have been mustered in suspicious circumstances, at any rate without sufficient evidence, for the purpose of supporting a disputed claim of the See of York.<sup>1</sup> The full light of history first falls upon Glasgow at the restoration of the diocese by Saint David, which is recorded in the remarkable instrument standing first in the *Ancient Register*. It is a memoir or *notitia*, which, although not without parallel in Scotch records, is much less common with us than in the registers of religious houses abroad.<sup>2</sup> In this instance, the document is very solemnly witnessed, and records an investigation directed by David,

vel ab Episcopo Scottorum vel Gualensium Britonum consecrari solebat. . . . Is itaque (Thomas Cant. Arch.) quendam Britonem Glesguensi ecclesie ordinavit episcopum, que jam pene preter memoriam non habuerat episcopi solatium. De quo episcopo sciendum, quia, sicut predictum est, si antiquorum Britonum episcopus est, secundum B. Gregorii decreta Cantuar : ecclesie suffraganeus est : quod si forte propter provinciarum viciniam, licet mutato et loco et populo, idem *Pictorum* episcopus debet putari, nihilominus ecclesie Cant : suffragatur utpote institutus et creatus a Theodoro archiepiscopo, sicut Beda testatur. Veruntamen sicut in gestis sanctorum virorum Columbe viz. presbyteri et abbatis, qui Beda referente ante adventum B. Augustini in Britannia primus Scottorum et Pictorum populis Christum predicavit, et venerabilis Cantugerni episcopi qui primus Glesguensi ecclesie prefuit, invenitur, non iste est Candide Case Epis-

copus quem Theodorus inatituit sed unus de illis antiquis Britanorum episcopis fuit, quos sicut sepe dictum est singulatum beatus Gregorius ecclesie Cant : subjugavit."—*Tursten X. scriptores II. 1742-6.*

<sup>1</sup> Magsuen, 1057 ; Johannes, 1059 ; Michael, 1109 ; *Stubbs de Archiep. Ebor.*—*Ibid.*

<sup>2</sup> This inquisition was printed by Sir James Dalrymple (*Coll.* p. 337), from the imperfect copy in the Advocates' Library. Sir James disliked it as a piece of Episcopacy ; and he was entitled to question the narrative of the foundation of the see, which could only be rested on tradition, and such records as Archbishop Ralph, however almost contemporary, quoted as authoritative. But, while he admitted the authenticity of the instrument, Sir James, in his own peculiar manner, scatters doubts and insinuations against statements contained in it, which must stand or fall with the instrument itself.

while Prince of Cumbria, regarding the lands and churches belonging to the Episcopal Church of Glasgow. The narrative, at its commencement, does not claim the same authority with the subsequent verdict of the five *juratores*,—*seniores homines et sapientiores totius Cumbriæ*. It is simply a statement made by the framers of the instrument, in the presence of the Prince and his Court, of the tradition and belief of the country at that time. They first relate the foundation of the Church of Glasgow, and the ordination of St. Kentigern as bishop of Cumbria. They mention the death of Kentigern, and that he was succeeded by many bishops in the see ; but that the confusion and revolutions of the country at length destroyed all traces of the Church, and almost of Christianity. Within the knowledge of all present was the restoration of the bishopric by David, and the election

Thomas Innes strenuously supports it ; and, after applying the tests of the severest criticism, it is scarcely possible now to doubt its authenticity.

Of such instruments, the learned fathers of St. Maur have observed :—

“ Quant à la nécessité des notices, il suffit pour la faire sentir, de rapporter encore un texte de notre auteur [Lobineau], tiré du même endroit. ‘ Il a été un tems (ce sont ces paroles) où ces sortes de notices ont été absolument nécessaires : parcequ’il y a eu beaucoup de donations, qui ne se sont faites que verbalement, et en présence de témoins, sans écritures ; et l’on ne pouvoit en conserver la mémoire à la postérité, qu’en écrivant fidèlement ce qui s’étoit passé.’ Mais bien des notices ont été dressées sur des chartes plus anciennes. Les dates précises qu’elles portent de faits éloignés d’un siècle ou d’un demi-siècle, en pouvoient faire la preuve.

“ M. Ménage ne s’explique pas avec

assez de justesse ni de précision, sur les dates des notices ; lorsqu’il en parle en ces termes. ‘ La plupart des notices des Abbaies (il devoit ajouter et des autres Eglises) ne sont point du tems de leur date : ce qui a été très véritablement observé par M. Pavillon dans ses curieuses remarques sur son histoire de Robert d’Arbrissel. Et c’est particulièrement à cause de ces sortes de titres, qu’on a dit que dans les monastères il y avoit un Dom Titrier. . . . Mais toutes les choses contenues dans ces titres narratifs, ne laissent pas d’être véritables, à la réserve de la date : ce qui a été encore très véritablement observé par M. Pavillon.’

“ Parmi les notices privées, dont il s’agit ici, on en voit qui sont munies de dates : et c’est le plus grand nombre. D’autres en sont entièrement dépourvues : plusieurs renferment deux sortes de dates ; l’une d’un fait ancien, dont on veut conserver la mémoire par un



and consecration of John, who is commonly called the first Bishop of Glasgow. Proceeding to the main object of their inquiry, they record the ancient possessions of the church of Glasgow as returned upon the oath of the *juratores*. The names of these places have been a fruitful subject of discussion.<sup>1</sup> It cannot, however, be disputed, that the province of Scotch Cumbria and the diocese of Glasgow, which, at least at the date of the inquisition, seem to have been synonymous, included many places, described as the property of the Church, in Dumfriesshire on one side, and far down in Teviotdale on the other. The date of the inquisition is not given, but it is ascertained to be about 1116.<sup>2</sup> We have no more certain date for the next deed, which records a gift of Earl David to the Church at the period of its restoration and building—certainly earlier than 1124, the year of his succeeding to the throne of his brother, Alexander I.

We know, that on the nones of July 1136,<sup>3</sup> the newly built church of Glasgow was dedicated. On that occasion the king, David I., gave to the church the land of Perdeyc, which was soon afterwards erected, along with the church of Govan, into a prebend of the cathedral.

titre subséquent : l'autre de l'acte même de la notice, qu'on dresse. Cette dernière espèce de date se trouve presque toujours aussi exactement vraie, que celle des diplomes les plus authentiques."—*Nouveau Traité de Diplom.* I. 301.

<sup>1</sup> Our earlier antiquaries had to contend with the mistaken readings of twice copied transcripts. Chalmers, who had the best authority in his hands, perhaps could not read it with ease; and he had not learned to distrust his own knowledge of the Celtic dialects. Among his

mss., now in the Advocates' Library, there is a laboured disquisition on these places, in which he does not convince the reader at all so much as he seems to have satisfied himself.

<sup>2</sup> Keith states, but without quoting his authority, that Bishop John was consecrated by Pope Paschal II. in 1115. The date of the instrument is necessarily between the period of his consecration, and the accession of Earl David to the throne in 1124.

<sup>3</sup> *Chron. Mailros et S. Crucis.*

In addition to the long list of possessions restored to Glasgow upon the verdict of the assize of inquest, this saintly king granted to the bishop the church of Renfrew; Govan with its church; the church of Cadihou; the tithe of his kail, or duties paid in cattle and swine throughout Strathgrif, Cuningham, Kyle, and Carrick, except when required for the maintenance of his own household;<sup>1</sup> and the eighth penny of all pleas of court throughout Cumbria. The bishop also acquired the church of Lochorwort, now Borthwick, in Lothian, from the Bishop of St. Andrews, the king and prince present and consenting.<sup>2</sup>

Bishop John had been tutor to King David, and was for some time his Chancellor. He had a long contest with Thurstan, Archbishop of York, by whom he was put under sentence of suspension in 1122. He then went to the Holy Land; but the next year, by order of the Pope, returned to his see. In 1125, he went to Rome to endeavour to obtain the *pallium* for the Bishop of St. Andrews, against the influence of the Archbishop of York. He is said to have retired among the Benedictine monks, and he did not return to Glasgow till recalled to his diocese by Alberic, the legate, in 1138. He died 28th May 1147.

Herbert, the next bishop, formerly Abbot of Kelso,

<sup>1</sup> Nisi quando ipse illuc venero, perendinaus et idem meum chan comedens.

<sup>2</sup> St. Kentigern is said to have dwelt for eight years at Lochorwort, and some actual facts seem to connect the Apostle of Strathclyde with that part of Lothian. The churches of Borthwick, Penicuik,

and Currie, were dedicated to him, and the spring in the manse garden at Borthwick is still "St. Mungo's Well." Peniacob, now Eddleston, in the glen of the Peebles water, was also part of the ancient patrimony of the see of Cumbria.

was consecrated by Pope Eugenius III. at Auxerre, in the same year. He died in 1164.

In the reign of Malcolm, the church of Glasgow acquired by gifts from the Crown the church of Old Roxburgh, with endowments it had received from King David; from William de Sumervil three acres of Lintun; and, from Walter the Steward, two shillings yearly from the duties of his burgh of Renfrew. The bishop had also several royal and papal writs for enforcing the payment of tithes, especially in Galloway, and on lands which the king had granted to his barons and knights, Richard de Morevil and Alan the Steward, and others. He had a gift of Conclud, to compensate for the king's transgression against the Church, in granting these lands without sufficiently securing the Church in its dues, "up to the day when he took the staff of pilgrimage of St. James." The Pope issued an injunction to the clergy and people of the diocese to visit the Cathedral church of Glasgow yearly, according to the custom of St. Andrews and other neighbouring sees, and likewise confirmed a constitution of the Dean and Chapter, declaring, that on the demise of a canon, his prebend, for one year, should go to pay his debts (*pro re honesta contracta*), or to the poor.<sup>1</sup>

Bishop Herbert was succeeded by Ingelram, who had a bull for his consecration notwithstanding the vehement opposition of the Archbishop of York, 1st November

<sup>1</sup> In the following reign the Chapter gave to its canons the right to bequeath one year's fruits of their prebends; or, if the canon died intestate, the year's

fruits to be applied, first to payment of his debts, and the residue among his parents and the poor; but books and Church vestments to go to the Cathedral.

1164,<sup>1</sup> and a papal precept for his reception. He was previously Archdeacon of Glasgow and Chancellor of the kingdom. He resisted strenuously and effectually the pretensions of the Archbishop of York to metropolitan superiority, and died 2d February 1174.<sup>2</sup>

The reign of William is the era of the rise of free burghs in Scotland; and, whilst the Sovereign was founding them on his domains, the great Lords of the Church obtained privileges of the same nature for the cities erected around their Cathedrals. Such was the origin of the burgh of Glasgow. The royal charter, which granted to the bishop and his successors the privilege of having a burgh at Glasgow, with a market on Thursday, and with freedoms and customs of the king's burghs, is dated at Traquair; and, from the witnesses, it was granted between the years 1175 and 1178.<sup>3</sup> The king granted to the Bishop of Glasgow a toft in each of his royal burghs of Munros, Dumfries, Forfar, and Stirling.<sup>4</sup> In the early part of this reign, the Cathedral possessed twenty-five churches, seventeen of which seem to have been mensal; and during it, the bishop acquired large accessions of property, in lands and churches, in Ashkirk, Gillemoreston, Stobhou, Carnwath, Kilbride, Anandale, Hottun, Muckart, Lillisclef, Wilton, Campsy,

<sup>1</sup> He was consecrated at Sienna by Pope Alexander III., 28th November 1164.

<sup>2</sup> *Chron. Mailr.*

<sup>3</sup> The original grant gave to the burghesses the king's peace—*firmam pacem per totam terram in eundo et redeundo*. A subsequent charter granted a yearly fair to be held for eight full days after

the octaves of the Apostles St. Peter and St. Paul (6th July); and the king granted his peace to all frequenting the fair.

<sup>4</sup> Those grants of tofts in infant burghs were to enable the great Church lords to accompany the sovereign in his frequent changes of residence. They also secured responsible and improving tenants for the Crown property in the new burghs.

and Cardross. The land of Balain was granted to the bishop, in compensation of excesses committed by the king against St. Kentigern and his church, after the decease of Bishop Ingelram.

In this reign was the beginning of the complaints regarding the cleric patrons of parish churches neglecting to supply parsons for the cure of souls;<sup>1</sup> a complaint which, in different shapes, gave rise to a large proportion of the controversies and transactions between churchmen for several centuries. The evils which arose from appeals to the Church of Rome, led to some measures intended to mitigate the abuse. There are several proceedings illustrating the origin and privileges of parish churches, and the jealousy with which their holders watched the growth of chapels interfering with the numerous offerings and dues of the Mother Church, which were only of inferior importance to its tithes. The great Cathedral feud had already begun between the chapter and the bishop. A transaction between the cathedral vicars and the chapter, serves to show that the election of the bishop was not yet a merely nominal right of the chapter. We find churchmen interdicted from pledging their benefices for money borrowed from Jews. Churches are not to be granted till vacant. The sons of priests occupying the same churches which their fathers had held are to be removed.<sup>2</sup>

<sup>1</sup> When, in after times, the necessity of supplying vicars in parishes held by the clergy, whether regular or secular, came to be admitted, the dispute took the shape of a question of amount of stipend; the appropriator and the vicar standing in the relation to each other

which the heritor and the minister in Scotland now hold.

<sup>2</sup> *Nisi forte aliquem propter probatam honestatem et diutinam possessionem sub dissimulatione videris transeundum.*

One charter of this reign helps to ex-

Jocelin, Abbot of the Cistercian monastery of Melros, was the next bishop, "*a clero, a populo exigente et rege ipso assentiente, ad ecclesiam Glasguensem presul eligitur, 10. kalendas Junii [1174] apud Pert in Scotia; vir mitis et morigeratus, vir mansuetus et moderatus.*"<sup>1</sup> He was consecrated at Clairvaux on the 1st of June 1175. Like his predecessors, he resisted the encroachment of York, and obtained from the Pope, who favoured the Cistercian order, a command that the bishops of Scotland should yield no obedience to the Archbishop of York, notwithstanding that Henry of England had compelled them to swear obedience to the Anglican Church. In 1182, Jocelin went to Rome, and obtained from Pope Lucius III. the absolution of his royal master from Church censure.<sup>2</sup> He was required by the succeeding Popes to admonish the king, chiefly in regard of his neglect to enforce the dues of the Church with the power of the Crown.<sup>3</sup> William, indeed, was a zealous churchman, a worthy grandson of David, but he was of the party that had already begun to resist the domination of Rome. Pope Innocent III. exhorted him in fine language to take care that he who had presented his morning offering fail not to render his evening sacrifice, but finish a bright day with a clear evening. Between 1189 and 1192, we find Jocelin anxiously engaged in the restora-

plain the term of *forinsec* service, which has puzzled the Scotch antiquary; and by it may, perhaps, be explained the Saxon phrase "utware."

The patronage of the parish church of Hodelm was resigned by Udardus, by symbol of book.

<sup>1</sup> *Chron. Mailr.*

<sup>2</sup> *Bullarium ad an.*

<sup>3</sup> *Bullarium.* "*Sollicite provisurus ut offerre Domino vespertinum sacrificium non omittat qui matutinum dicitur obtulisse, ac sic clarum mane vespere sereno concludat.*"

tion of his Cathedral Church. The original church of Bishop John, built, perhaps, chiefly of wood, had been recently destroyed by fire ; and Jocelin founded a society to collect funds for its restoration, for which he obtained the royal sanction and protection.<sup>1</sup> He must have proceeded with extraordinary energy and success, since, on the 6th of July 1197, his new church was sufficiently advanced to be dedicated.<sup>2</sup> After a long episcopate, Jocelin retired to his old Abbey of Melros, died among his brethren of the convent on the 17th March 1199, and was buried on the north side of the choir.<sup>3</sup>

His successor was Hugh de Roxburgh, the Chancellor, who died two months after his election, probably unconsecrated.<sup>4</sup>

William Malvoisin, the Chancellor, succeeded ; elected 1199 ; consecrated in France by the Archbishop of Lyons in 1200. He was translated to St. Andrews in 1202.

The next bishop was Florence, the son of that gallant Count Florence of Holland, the hero of the crusaders at Damietta, by Ada the granddaughter of David I. of Scotland. His uncle King William made him his chancellor ; and he was at the same time elected to this bishopric, in which he continued for five years without

<sup>1</sup> The king expresses himself in terms of great affection for the Church of Glasgow, — *Mater multarum gentium exilis antehac et angusta, ad honorem Dei ampliari desiderat, et preterea in hiis diebus nostris igne consumpta ad sui reparationem amplissimis expensis indigens et nostrum et plurimum proborum hominum subsidium expostulat.*

<sup>2</sup> " *Jocelinus episcopus Glasguensis Cathedralē ecclesiam suam, quam ipse novam construxerat, pridie nonas Julii, die dominica, anno episcopatus sui xxiij, dedicavit.*" — *Chron. Mailr.*

<sup>3</sup> *Chron. Mailr.* — Hoved.

<sup>4</sup> Fordun.

consecration, and resigned his charge in 1207. The causes of his not being confirmed, and of his resignation, are equally unknown.<sup>1</sup>

Walter, *capellanus regis*, was elected bishop on the 5th of the Ides of December 1207, and consecrated by papal license at Glasgow on the 2d November 1208. He attended a General Council (the Lateran) at Rome in 1215, along with the Bishops of St. Andrews and Moray; and three years afterwards accompanied the Bishops of Moray and Caithness, when they obtained the papal absolution from the interdict of the Legate Gualo. He died in 1232.

In the following reign the Chapter acquired the church of Dalziel as a common church from the Abbey of Paisley. The bishop obtained the church of Hottun by a transaction with the canons of Jedburgh, and had a grant of the patronage of the churches of Annan, Lochmaben, with its chapel of Rokele, Cumbretrees, Gretenhau, Rempatrick, Kirkepatric, and the chapel of Logan, from the monastery of Gyseburne, to which they had been given by Robert Bruce, Lord of Annandale.<sup>2</sup> Affrica of Nithsdale granted to the Bishop the church of St. Bride of Winterton-negan; and by transactions, some of which amounted to a purchase, he acquired the church of Merebotle and the

<sup>1</sup> *Chron. Mailr.*—Fordun.—The seal of Florence, representing the bishop seated, as not yet entitled to appear in the act of episcopal benediction, with the legend, *Sigillum Florentii Glasguensis electi*, is engraved among the collection of beautiful seals appended to the chartulary of Melrose, the contribution of the Duke of Buccleuch to the Bannatyne Club.

<sup>2</sup> The original grant of Robert Bruce *le meschin* to the canons of Gyseburne is preserved among the Harleian Charters in the British Museum. The seal, on green wax, is still entire, and represents a knight on horseback; on his shield and the housings of his horse, the chief and saltire of Bruce; the legend, *Esto ferox ut leo*.



lands of Ingoliston. The families of Carrick and of Lennox, from whose wild dominions it was in last reign so difficult to obtain the dues of the Church, had now become its dutiful children. In 1225, Earl Duncan of Carrick, in a chapter celebrated at Ayr, solemnly undertook to pay all his tithes and dues, and to use his power with his men and tenants for the same purpose. He promised no longer to oppress the clergy of Carrick with tallies or exactions;<sup>1</sup> to enforce Church censures by confiscation and temporal penalties; and he granted that the clergy should have a right of pasturage through his whole land, "according to the traditions of our fathers and the statutes of the Church;"<sup>2</sup> and the Earl's son compounded for injuries he had perpetrated against the Glasgow churches during the war in Galloway, by a donation of a church, which seems to be that of Stratton, with land in the parish. Besides these, the Church acquired small additional revenues from Rutherglen and Cadihou, Ashkirk, Buthlull, now Bonhill, Roxburgh, Golyn, and Mosplat in the bailiary of Lanark. The provision for parochial vicars still continued a fertile subject of dispute and transactions. In one of these, we find the unusual stipulation that the stipend shall increase in proportion to the revenues of the churches—an element that

<sup>1</sup> He particularly exempts them from a certain *corredium ad opus serrientium suorum qui kethres nuncupatur*, which, notwithstanding the term, must have differed from the *corody* of the English law, and may perhaps receive some illustration by the etymology of its Celtic synonym.—See Jacob's *Law Dictionary* v. Corody; and Kemble's *Anglo-Saxon Charters*, Introduction, liij.

A grant in similar terms was made by Maldoveni, Earl of Lennox.

<sup>2</sup> It was in this way the Church obtained the execution of this and others of its statutes, which Lord Hailes remarks would require the intervention of the legislature. I have lost the reference to Lord Hailes's remark.

seems to have been carefully excluded in other transactions of this nature. The amount of *procurations*, or dues payable to bishops on visitation, seems not to have been so much disputed in the diocese of Glasgow as in the other bishoprics of Scotland. The transactions regarding such disputes are comparatively few.

On a statement, that in a certain part of the diocese some barbarous tribes were destitute of spiritual instruction, the Pope, to support the expense of the bishop's visitation there, granted him the church of Drivesdale *in usus proprios*. To meet the pressure of debts affecting the Church, the whole clergy of the diocese were commanded to contribute a subsidy; and the Pope allowed the bishop to appropriate the revenues of two churches for three years.

Great efforts were made to obtain enforcement of ecclesiastical decrees by the arm of the civil power, and to a certain extent successfully. At the same time the whole authority of Rome was used to prevent the clergy from pleading in a lay court. A number of papal privileges show us that the two great grievances of the bishop were, being forced to admit to benefices or pensions upon the dictation of the Pope, and the liability to be summoned in Church cases out of the kingdom.

The bishop had a very early exemption for himself and his people from toll and custom for their own chattels, which was renewed in this reign. It brought the citizens of Glasgow into collision with the ancient royal burgh of Rutherglen, and with the more modern one of Dumbarton. Against the latter the bishop prevailed,

and secured for his burgesses a free trade in Argyle and Lennox ; but Rutherglen was more powerful ; and all that could be obtained was a protection against the royal burgh levying toll and custom within the town of Glasgow, or nearer than the cross of Schedenestun.<sup>1</sup>

The custom of judicial combat, one branch of that system of ordeal which appealed all questions between man and man to the direct decision of Providence, was still in considerable observance. It appears that in Scotland, as well as England, this law was extended to churchmen, and Innocent III. found it necessary to fulminate a bull against so pestilent a custom.<sup>2</sup>

The Cathedral, though dedicated in the episcopate of Bishop Jocelin, cannot have been completed then. But the cathedral of Saint Kentigern was of national interest, and the General Council of the Scotch Church came to its assistance. In 1242, it was ordained that, from the beginning of Lent till the octaves of Easter, the matter of the building of the church of Glasgow should be recommended to the parishioners in every church on Sundays and festivals, after mass, and the indulgence granted to those assisting the building, written up in church, and expounded in the vulgar tongue ; and that no other collection be allowed to interfere with it during that period.<sup>3</sup>

<sup>1</sup> Schedenestun is now Shettleston.

<sup>2</sup> *Pestifera consuetudo.*

<sup>3</sup> "Statuimus firmiter observandum, quod a principio quadragesimæ usque ad octavas Paschæ negotium fabricæ ecclesiæ Glasguensis, omnibus diebus dominicis et festivis, fideliter et diligenter, in singulis ecclesiis post evangelium missæ,

parochianis exponatur, et indulgentia eidem fabricæ subvenientibus concessa, quam in qualibet ecclesia scriptam esse precipimus, aperte et distincte eisdem parochianis vulgariter dicatur, et elemosynæ eorundem, ac bona decedentium ab intestato, ac etiam pie legata, secundum consuetudinem hactenus approbatam.

It was the work of many years, notwithstanding, and the length of time occupied in erecting this great church accounts for some curious changes of style, which must have taken place while the work was in progress.

In this reign the diocese is said to have been divided into two archdeaconries, Glasgow proper, and Teviotdale.<sup>1</sup>

Walter's successor in the bishopric was the Chancellor, William de Bondington, a courteous, liberal man—*vir dapsilis et liberalis in omnibus*<sup>2</sup>—who was consecrated at Glasgow on the Sunday after the nativity of the Virgin, 1233.<sup>3</sup> He is said to have finished the Cathedral.<sup>4</sup> He resigned the office of Chancellor about the period of the king's death. He seems to have preferred his native Borders—not yet a lawless district, uninhabitable for men of peace—and latterly resided much at his pleasant house of Alnecrum,<sup>5</sup> and died there on the

fideliter colligantur et decanis locorum in proximis capitulis sine diminutione assignentur; et infra dictum terminum nullus questionem pro negotiis aliis in ecclesiis parochialibus admittat."—*Char-tul. Aberdon.*—*Wilkins Con.*—*Hailes.*

<sup>1</sup> 1268.—*Mailr.*—*Fordun.* Some new arrangement of the archdeaconries may have taken place. But an Archdeacon of Teviotdale occurs long before.—*Reg. Passel. Lib. de Melr.* The chronicler of Lanercost gives a story, *causa ludi*—that is, to have a jibe at the odious church inquisitor—which should be remembered. A certain knight of Robertston had an estate in Annandale, the tenants of which, running riot from too much prosperity—*præ opibus lascivientes*—committed all sorts of offences, which brought them to the Official's court, and filled the purse of the Archdeacon with their fines. At length the landlord declared that for any such offences the

tenants should be ejected from his land, which produced a great reformation and a diminution of the Archdeacon's profits. The Archdeacon met the knight, and accosting him *superbo supercilio*, asked him who had constituted him judge for the reforming of such matters. The knight replied that he had made the rule for the sake of his property, and not as interfering with the churchman's jurisdiction, but added, "I see if you can fill your bag with their fines, you have no care who takes their souls." *Ad hæc conticuit exactor criminum et amator transgressionum.*—*Chron. Laner.* 1277.

<sup>2</sup> *Fordun*, x. 11.

<sup>3</sup> *Chron. Mailr.*

<sup>4</sup> *Boece.*

<sup>5</sup> Many of his charters are dated there. He obtained from Ralf Burnard a right of fuel in his peateries of Faringdun, for the use of his house of Alnecrumbe, to himself and his successors for ever.

10th November 1258. He was buried at Melros, near the high altar.<sup>1</sup>

The reign of Alexander III. is not so important in the history of the diocese for any great acquisition of property, as for an important change in the constitution of the Church. Isabella de Valloniis, the widow of David Comyn, lord of Kilbride, granted to the Church a territory in the forest of Dalkarn. Dervorguilla, co-heiress of Alan of Galloway, and widow of John de Balliol, gave to it Torhgil in Cunyngham, Ryesdale, and other lands and pastures in her domain of Largs. The patronage of the parish church of Smalham was obtained from David Olifard. John Comyn, lord of Rulebethok, gave to the Church his land of Rulehalch.

William de Bondington, who had previously regulated the archdeaconry of Teviotdale, in the last year of his bishopric and of his life, by the consent of the Chapter, established the liberties and customs of Salisbury as the future constitution of the Cathedral of Glasgow. The ritual of Sarum, arranged by Bishop Osmund in 1076, had been very generally adopted, even beyond the authority of the English Church.<sup>2</sup> This naturally led to the adoption also of its constitution and customs. With the view of ascertaining these accurately and authoritatively, the Chapter obtained from the Dean and Chapter of Salisbury a formal statement of their constitution, which ever after formed, as it were, the charter of privileges of the

<sup>1</sup> *Chron. Mailr.*

<sup>2</sup> A.D. 1076. Osmund episcopus Sarum composuit librum ordinalem eccle-

siastici officii quem *consuetudinarium* vocant, quo fere tota nunc Anglia, Wallia, et Hybernia utitur. --*Jorval-Knyghton.*

Glasgow Chapter.<sup>1</sup> This important measure was preceded by a charter of the bishop, granting to the canons the free election of their dean (which must probably be held as a declaration of their previously existing right); and it was accompanied by a gift of Hottun, as an addition to the common churches of the chapter, and by the foundation and endowment of a body of *vicarii de residentia*, or cathedral vicars.<sup>2</sup>

By a right which the church purchased from the lord of Luss in 1277, we learn two interesting particulars;—that the territory of that lord then abounded in wood, and that the Church of Glasgow was at that time collecting materials for building a steeple and treasury—*campanile et thesauraria*.<sup>3</sup> The increasing number and consequence of the Chapter rendered necessary other alterations of the cathedral buildings; and on two occasions during this reign, we find a project for removing the bishop's palace to make way for the dwellings of the canons.<sup>4</sup>

<sup>1</sup> The adoption by the canons, of the untried constitution is singularly guarded. It takes place after the death of Bishop Bondington, and whilst no successor has yet been appointed. The canons, in their oath of adherence, reserve a power to change any of the constitutions, if the majority of the Chapter think proper; and while they bind themselves, in virtue of their oath, firmly to observe such change, they add the saving clause—*nisi dicta mutatio nobis reperiaturn dampnosa*.

<sup>2</sup> Great confusion has arisen from confounding the vicars parochial, who formed, in fact, the great body of the acting clergy with cure of souls, with these vicars residentiary, established for the decorum and solemnity of Cathedral service, who are often called *stallarii*, and in Glasgow, as well as in other

cathedrals, had ultimately a regular constitution under the title of Vicars of the Choir.

<sup>3</sup> The grant is very minute. Maurice, lord of Luss, for a certain sum of money sells and grants to God and Saint Kentigern, and the Church of Glasgow, the whole timber that shall be required for the steeple and thesaurary of the church, until the same shall be perfectly completed in wood work. He gives the workmen leave freely to enter his lands, to fell and prepare whatever timber in his woods they think expedient, and to remain there, and have free pasture for their horses and oxen during its manufacture and carriage. Granted at Perth on Tuesday next after the Assumption of the Virgin, 1277.

<sup>4</sup> First, in 1228, at a meeting of the Chapter, whilst the see was vacant after

The drains of church property to Rome were perhaps scarcely more heavy, in the shape of avowed taxation or contribution, than in the sums continually transmitted for securing patronage, and keeping up influence at the papal court. We have instances of both in the transactions of this reign.<sup>1</sup>

After the death of Bishop William de Bondington, the election of the Chapter fell upon Nicolas de Moffet, the Archdeacon of Teviotdale, who was prevented from obtaining consecration by the intrigues of some members of his Chapter. The Pope not only rejected him, but appointed in his place, and consecrated, John de Cheyam, an Englishman. Nearly all we know of him is, that he claimed as of ancient right to exercise his diocesan jurisdiction as far as Rere Cross on Stanmore,<sup>2</sup> and that, equally unacceptable to the king and his Chapter, he retired from his diocese and from Scotland, and died in France in 1268.<sup>3</sup>

Upon his death, Nicolas de Moffet obtained possession of the see, but died without consecration in 1270.

the death of Bondington, the canons agreed that if any of them should be elected bishop, he should remove the palace which stood without the castle—*pallatium quod est extra castrum Glasguense*—and give its site, with other ground adjoining, for houses for the canons. On a vacancy occurring exactly ten years afterwards, a meeting of canons came to the same resolution. It is probable that the second was not more effectual than the first undertaking.

<sup>1</sup> We have a sum of £200 borrowed from merchants, "*pro arduis nostris negotiis in curia Romana promovendis*," with a discharge for sixty marks sterling,

the arrears of an annual duty paid by Glasgow to the Church of Rome.

<sup>2</sup> The old boundaries, since—

"The King Dawy wan till his crown  
All fra the watty of Tese of brede  
North on til the watty of Twede,  
And fra the watty of Esk be Est  
Til of Stanemore the Rere-cors  
West."

Wyntoun, VII. 6.

<sup>3</sup> *Chron. Lanerc.* 65, 387. The Chapter complained of his intrusion: the king, that he pretended a right to the revenues before taking the oath of fealty—contrary to the custom of Scotland.

William Wischart, Archdeacon of St. Andrews, and Chancellor of Scotland, was elected to succeed him, but was in the same year postulated to the See of St. Andrews.<sup>1</sup>

Robert Wischart, Archdeacon of Lothian, elected his successor, was consecrated at Aberdeen by the Bishops of Aberdeen, Moray, and Dumblane. During the peaceful reign of Alexander, he had leisure for a dispute with his Chapter concerning the lands of Kermyl, with which John de Cheyam and the Chapter had endowed three chaplains in the cathedral.<sup>2</sup> The latter transactions of his life were of a different character.

The short reign of the maiden of Norway, and the troubled interregnum that followed, were not favourable to the Church. The only transaction of consequence recorded during that period was a decision or arrangement between Sir William of Moray, lord of Bothuile, and the Chapter; Moray taking the church of Smalham, and the Chapter the church of Walliston, *in proprios usus* or as a common church.

Edward I. spent a fortnight at Glasgow in the autumn of 1301. He resided at the Friars Preachers, but was constant in his offerings at the High Altar and the shrine

<sup>1</sup> " *Et mirum multis visum est quod vir tam magnæ opinionis, qui fuit, ut dictum est, electus Glasguensis et Sancti Andree Archidiaconus, domini Regis cancellarius, ac rector sive præbendarius viginti duarum ecclesiarum, captus fuit tanta ambitione, quod hæc omnia eidem non sufficerent, quin, potius simulatione quam religione, plus regis timore quam sui amore, episcopatum Sancti Andree sibi usurparet. Is de illis apparet esse et est, de quibus Juvenalis,*

" Non propter vitam faciunt patrimonia quidam

Sed, vitio cæci, propter patrimonia vivunt.

Crescit amor nummi quantum ipsa pecunia crescit."

*Fordun, Lib. x. p. 133.*

It is not often that our chroniclers quote Juvenal.

<sup>2</sup> *Episcopus per suam industriam, de pecunia tamen ipsius capituli, acquisierat.*



of Saint Mungo. Of the building spacious enough to receive the monarch's train, there are now no vestiges. A few years later we find by a charter still preserved in the archives of the University, the Bishop and Chapter granted to the Friars preachers of Glasgu a spring called the Meadow-well, rising in the Denside, to be conducted into the cloisters of the Friars.<sup>1</sup>

The reign of Robert was scarcely more fortunate for Glasgow. The Church has no recorded acquisition of property in this reign, except small annual rents given by the family of Avenel,<sup>2</sup> and by John, Abbot of Holyrood.<sup>3</sup> The prebend of Barlanark was granted by the king in free warren. On the other hand, the Chapter parted with two of its churches at the request of the king, giving Eglismalesock to Kelso, and Watstirker to Melros.<sup>4</sup> Deeds are here preserved in favour of the Abbey of Paisley and the Church of Ayr. A transaction is recorded, in which Roger de Auldton, by a gift of a considerable property, purchased the privilege of burial for himself and his spouse in the choir of the church of St. James of Roxburgh.<sup>5</sup> I may likewise mention an instrument, recording the precautions taken upon the loss of the bishop's seal of cause; and a curious indenture, in which Walter Fitz Gilbert, the first of the family

<sup>1</sup> *Fontem quendam qui dicitur meduvel in loco qui dicitur Denside scaturientem in perpetuum conducendum in claustrum dictorum fratrum ad usus necessarios eorundem.* The grant by the Bishop, dated 16 kal. Sep. 1304, is confirmed by the Chapter die lune in festo S. Bartholomei apostoli, 1304.

<sup>2</sup> Forty shillings out of Tunregeyth.

<sup>3</sup> Four marcs out of Dalgarnoc.

<sup>4</sup> The charter of Ochiltree is only an episcopal confirmation of a gift of Eustachia de Colvil.—*Liber de Melros*, 403.

<sup>5</sup> From the Rector, the abbot of Kelso, *quæ sine nostri licentia tanquam rectoris dictæ ecclesiæ, firmitatem habere nequeunt.*

of Hamilton, grants to the Church certain vestments and plate, under reservation of the use of them four times in the year in the chapel of Machan.<sup>1</sup>

The affectionate sympathy expressed by the king for the bishop would serve to give us some insight into his character, even if the history of Robert Wischart were not so well known.<sup>2</sup> "We feel in our heart as we ought," says Bruce, "the imprisonments and chains, the persecutions and vexatious delays which the venerable father Robert, Bishop of Glasgow, has endured, and still endures with patience, for the rights of the church and of our kingdom of Scotland." Bruce, the mirror of chivalry, felt no horror of the churchman's breaches of promise. It was a time when strong oppression on the one side, made the other almost forget the laws of good faith and humanity. Our bishop did homage to the Suzerain, and transgressed it; he swore fidelity over and over again to the King of England, and as often broke his oath. He kept no faith with Edward. He preached against him;<sup>3</sup> and, when the occasion offered, he buckled on his armour like a Scotch baron, and fought against him.<sup>4</sup>

But let it not be said he changed sides as fortune

<sup>1</sup> Here we find the chapel of the Virgin described as *in ecclesia inferiori*, and that of Saint Kentigern *in bassa ecclesia*; and there were many other altars and chapels in the crypts.

<sup>2</sup> *Nos corditer attendentes ut tenemur, incarcerationes et vincula, persecutiones et tedia que venerabilis pater dominus Robertus Dei gratia episcopus Glasguensis pro juribus ecclesie et regni nostri Scotie hactenus constanter sustinuit et adhuc sustinet patienter.*

<sup>3</sup> *Le dit eveque est alé prechant parmy le pays pour faire les gentz lever contre*

*la foy et la pees notre seigneur le Roy, pour meyntener la partie et l'estat du dit Counte de Carrik, en amonestant le poeple . . . et les assure sur son peril qu'ils porront a tant fuir meryt de estre de l'acord le dit Counte et de meintenir la guerre contre le roy d'Engleterre come d'aler en le service Dieu en la terre seinte.—Documents illust. Hist. of Scotland, p. 348.*

<sup>4</sup> *Le dit evesque come hum contre la pees vint armez son corps out tote sa gent.—Documents illust. Hist. of Scot. p. 343.*

changed.<sup>1</sup> When the weak Balliol renounced his allegiance to his over-lord, the Bishop, who knew both, must have divined to which side victory would incline;<sup>2</sup> and yet he opposed Edward. When Wallace, almost single-handed, set up the standard of revolt against the all-powerful Edward, the Bishop of Glasgow immediately joined him. When Robert Bruce, friendless and a fugitive, raised the old war-cry of Scotland, the indomitable Bishop supported him. Bruce was proscribed by Edward, and under the anathema of the Church: The Bishop assailed him for the sacrilegious slaughter of Comyn, and prepared the robes and royal banner for his coronation.

Wischart was taken prisoner in the castle of Cupar, which he had held against the English, in 1306, and was not liberated till after Bannockburn.<sup>3</sup> It was in the midst of that long confinement that we find Robert commiserating his tedious imprisonment, his chains, and persecutions so patiently endured for the rights of the church and kingdom of Scotland. The Bishop had grown blind in prison. He survived his liberation two years, and died in November 1316.<sup>4</sup> One charge of Edward against Bishop Wischart was, that he had used timber which he had allowed him for building a steeple to his

<sup>1</sup> Sir F. Palgrave's *Introduction*.—*Documents of Scotland*, clxxvi.

<sup>2</sup> *Ha ! ce fol felon tel folie faict !* were the words of Edward when he heard of the impotent resistance of Balliol.—*Hailes An.* 1296.

<sup>3</sup> He was exchanged, along with the Queen and Princess, for the Earl of Hereford, taken in Bothwell castle by Edward Bruce, immediately after the battle.

<sup>4</sup> It must be confessed Bishop Wischart

is said to have savoured of the laity in more than wearing armour. When forced to make submission to Edward after the capitulation of Irvine (1297), he drew down on his house the vengeance of Wallace. The patriot leader, *iratus animo perrexit ad domum Episcopi, et omnem ejus suppellectilem, arma et equos, filios etiam Episcopi nepotum nomine nuncupatos secum abduxit*.—Hemingford, cited by *Hailes ad an.* Has the English

cathedral,<sup>1</sup> in constructing engines of war against the king's castles, and especially the castle of Kirkintilloch.

Master Stephen de Donydouer, a canon of Glasgow, and chamberlain to King Robert, was elected on the death of Wischart, but through the influence of Edward II. with the Pope, his confirmation was delayed, and he died in 1318, without having been consecrated.

Considerable confusion now surrounds the history of the see. John de Lindesay and John de Wischart were both Bishops of Glasgow between 1318 and 1334 ; but it is not easy to distinguish their episcopates. It would rather seem that John de Wischart, who was previously archdeacon, was elected Bishop in 1319, and Lindesay succeeded him in 1321.

It was therefore probably Bishop John de Lindesay who figured in a curious deed of the latter part of this reign.<sup>2</sup> Whoever he was, he certainly had previously held a prebend in the cathedral of Glasgow. On his confirmation and consecration, the Pope reserved the prebend so vacated to his own collation. But immediately on the bishop's arrival from the Roman court, the king claimed the presentation, according to the custom of Scotland, as of a benefice in the bishop's gift, fallen vacant before the bishop had taken the oath of fidelity to the king—and presented Master Walter de Twynham. The bishop was evidently most reluctant ; but Bruce was not to be trifled with ; and Master Walter

chronicler done the *traitor* bishop's morals wrong? Altogether, we should like to have this remarkable person's character from a less prejudiced pen than that of the secretary of Edward.

<sup>1</sup> *Avoit doné merym pour faire le clocher de sa eglise cathedral de Glasgu.*—*Documents of Scotland*, p. 348.

<sup>2</sup> Anno 1324.

was admitted by ring, as use is, with a protestation saving the Pope's right ; which was apparently all the satisfaction afforded his Holiness ; for his nominee, Nicholas de Guercino, had evidently put in his claim ineffectually long afterwards. The same instrument gives evidence of a general council held at Perth in 1324.

About the feast of the Assumption in the year 1337, two ships, coming from France to Scotland, were encountered and taken after a stout resistance, by John de Ros, the English admiral. On board were John de Lindesay, Bishop of Glasgow, and with him many noble ladies of Scotland, and men-at-arms, and much armour, and £30,000 of money, and the instruments of agreement and treaty between France and Scotland. The men-at-arms were all slain or drowned in the sea. The Lord Bishop and part of those noble ladies, for very grief, refused to eat or drink, and died before the fleet made the land. Their bodies are buried at Wytsande in England.<sup>1</sup>

The long reign of David II. is, as might be expected, barren of events affecting the church. There is evidence of a heavy papal contribution in 1340, of which I have found no other trace ; of a dispute between the bishop and chapter in 1362 ; and of nothing else of properly ecclesiastical events of higher consequence than the foundation of a chantry or an altarage.

But the church records here supply a few events of secular interest. The Bishop adhering to the party of Edward Balliol, we have an interesting charter of Edward

<sup>1</sup> *Chron. Lanerc.* Honest Walsingham tells a different story ; the Bishop was knocked on the head like the rest -

*Episcopus obiit lethaliter in capite vulneratus.* He places the event in 1335. But as to the date, he is mistaken apparently.

granted at Glasgow, "on the first day of the second year of his reign"—1333, where some of the disinherited lords appear as witnesses.

A foundation of a chaplainry in 1361, by David Fitz-Walter, knight, lord of Kinniel, gives the second generation of the family of Hamilton, not yet bearing the name, but blazoning the three cinque-foils, the well-known family arms.<sup>1</sup>

The successor of John de Lindesay was William Raa, of whose life and conduct during that period of confusion little is known.<sup>2</sup> He is said to have built the stone bridge over the Clyde at Glasgow;<sup>3</sup> but we should require some evidence of such an undertaking being completed in a time of so great national depression. In his days Margaret Logy became queen of Scotland; and the imperious young beauty, not content with ruling the king, seems to have interfered more than was lawful in the affairs of the bishopric. She exacted concession of church property for one favourite, and a benefice for another, and actually averred that the king had made her a grant of the bishopric of Glasgow *in part*.<sup>4</sup> Bishop William died in 1367.

His successor was Walter de Wardlaw, archdeacon of Lothian, and secretary to the king; consecrated 1368.

<sup>1</sup> Thomas Innes's note of the original charter and its seal;—*super scutum triu quinquefolia*.

<sup>2</sup> The see was vacant on the 8th February 1335, and John was then spoken of as *nuper Episcopus*. Keith asserts he was then dead, and says his successor was bishop in 1335. I have not found the authority he quotes. It is possible

that John de Lindesay was in some way ousted from the bishopric before his death.

<sup>3</sup> Keith, apparently following M'Ure.

<sup>4</sup> She asserts that the hospital of Polmadie was in her gift by reason of the king's grant of the bishopric—*ex concessione Regis de episcopatu Glasguensi in parte nobis facta*.

He was much employed in foreign embassies, and received the honour of the cardinalate and the office of legate *a latere* for Scotland and Ireland, in 1385, from the antipope Clement VII., to whom the Scotch Church adhered. He died in 1387.

The reign of Robert II., though equally barren of deeds regarding the church, furnished to the charter scholars of the Scotch college their most valued evidence and their greatest triumph. After setting forth the proofs of the legitimacy of Robert III. contained in the charters, founding a chaplainry in consideration of a papal dispensation for the marriage of his father with Elizabeth More, and detailing the preservation of these charters in France, Thomas Innes, with an excusable mixture of loyalty and patriotism with grateful affection for the country of his adoption, celebrates the glory of FRANCE, who—united to Scotland by their ancient league, and often affording a hospitable reception to her royal family—hath now happily preserved at once the hope and heir of the kingdom—the hundred and tenth inheritor of the crown—and the unchallengeable proofs of the legitimacy of his race !<sup>1</sup>

<sup>1</sup> *Ita Francia Scotis fœdere conjuncta, regique familiæ hospitio non semel nobilis, ut spem et hæredem centesimum et decimum regni Scotorum, ita etiam titulum indubitæ auctoritatis, quo eadem familia ab omni deterioris originis suspicionē vindicatur, feliciter conservavit.*—*Mabillon*, App. p. 10. Innes, of course, only dealt with the objection as he found it in Boece and Buchanan, who asserted that Robert married Elizabeth More, not till after the death of his queen, Euphemia Ros, and then ob-

tained the legitimation of children whom he had had by Elizabeth before his marriage with Euphemia, in exclusion of the children of his lawful marriage. That fiction is certainly overthrown by these deeds, proving the dispensation, marriage, and death of Elizabeth, ten years before the death of Euphemia. It was reserved for the ingenuity of later writers to raise other objections after the whole disputes have fortunately taken their proper rank as mere subjects of antiquarian curiosity. The dispensa-

Upon the death of the Cardinal, the Pope endeavoured to intrude John Framisden, a friar minor, into the see of Glasgow, and craved the assistance of Richard II. for his settlement by force.<sup>1</sup> The attempt, however, entirely failed, and Matthew de Glendonwyn, a canon of the cathedral, obtained the bishopric peaceably. In his episcopate, the steeple, built of timber from the banks of Lochlomond, was burnt down. He made preparations for rebuilding it of stone, but had not commenced it when he died 10th May 1408.

A statute for taxing prebends to supply robes and ornaments for the cathedral service ; and some proceedings regarding the hospital of Polmadie, which had lately become the property of the bishop, are the only records of events of the unfortunate reign of Robert III.

tion referred to in these charters which is dated Nov. 22, 1347, was found in the Vatican by Andrew Stewart. Under the disguise of strange mis-spelling, for persons of such quality, it informs us *quod dudum ipsis Roberto et Elizabeth ignorantibus quod dicta Elizabeth et . . . Ysabella Boucellier in tertio et quarto, ac Elizabeth et Robertus prefati in quarto, consanguinitatis gradibus sibi invicem attinerent, idem Robertus dictam Ysabellam primo, et postmodum predictam Elizabeth carnaliter cognovit, et quod ipse Robertus et Elizabeth diu cohabitantes, prolis utriusque sexus multitudinem procrearunt*,—and then it grants the desired dispensation for the marriage, and declares the children previously born legitimate. A fine point has been raised by a learned writer, as to whether the papal legitimization could render these children born “in incestuous concubinage,” *capaces successionis in regnum*.—*Riddell on Peerage and Consist. Law*, i. c. 6. Perhaps the modern inquirer will be better satisfied

with the legislative act in their favour (Parliament 1373). But, for the zealous antiquary who does not despise such inquiries, I would suggest (1.) that it is by no means proved or certain that there was not a formal marriage between the parties before the birth of those children, though the papal dispensation is bound to assume that a marriage which *ex concessis* was uncanonical, did not exist. But (2.) this *incestuous concubinage*, in plain language, the connexion of parties related within the fourth degree of consanguinity (which might be said if they were the great-grandchildren of cousins-german), with the other objection more shadowy still, are not impediments *lege naturæ*, nor by the law of Leviticus, but imported by the canons ; and what the canons could create, the authority of the papal rescript could dispense with. This the canonists and all other lawyers admitted.

<sup>1</sup> *Nicolas' Proceedings of Privy Council*, i. 95.



The period embraced by the reign of James I. in the Register of the Bishopric begins with a remarkable proceeding in a parliament holden at Perth in 1415, where the Chancellor of Scotland, in name and behalf of the three estates, required to have formally exemplified, the famous charter of Edward III. of England declaring the independence of Scotland, lest by the loss or destruction of the original letters, and in defect of proof of their contents, the king and kingdom suffer loss. Those instruments themselves are now well known to the historian ;<sup>1</sup> but it might afford an interesting subject of speculation to conjecture the end or motives of their solemn publication at that time, when the young king was still a prisoner in England, and the government in the hands of the aged Albany.

The return of James from captivity restored order and some degree of prosperity to Scotland, which could not fail to produce an effect on the state of the church. An amicable settlement of the clashing jurisdictions of the archdeacon and the bishop, the acquisition of the church of Libberton by the chapter,<sup>2</sup> and the erection of seven new prebends in the cathedral<sup>3</sup> follow quickly

<sup>1</sup> *Hailes ad an. 1327.* The editors of the late edition of the *Fordeu*, in reprinting them seem to have used this register.

<sup>2</sup> It was declared a common church, or one, the fruits of which went to the common fund of the Canons.

<sup>3</sup> Cambuslang, of which the patron was Archibald, called the third Earl of Douglas ; Tarbolton, a church of Sir John Stewart of Darnlie ; Eglisshame, of Sir Alexander de Montgomerie ; Luss, of John Colquhoun ; Kirkmocho, of

Margaret Lady Forrester and Sir William Stewart, her son ; Kyllern, of Patrick le Graham. Polmadie and Strablane. It is particularly worthy of notice that the pension of the vicar was fixed at 20 merks in each of five of these churches.

I fear it is impossible to consider the record of the erection of these prebends as anything more than a *memoria*, or memorandum. Some of the patrons named could scarcely be brought together at once.

upon the restoration of security and good government. A grant of church ornaments by Sir Allan Stewart of Darnlie ; a careful inventory of the relics, jewels, vestments, and books of the cathedral ; and the formation of codes of statutes for the decorous government of the canons and their cathedral vicars ; all show like effects produced by the leisure and security, and perhaps encouraged by the example or directions of James's government. These statutes are extremely interesting to the church antiquary, and it may interest any one who studies the progress of society, to observe the union of a provision for magnificent religious solemnities with the antique simplicity of life and manners in the actors in the pageant.<sup>1</sup>

On the death of Bishop Matthew, William de Lawedre was provided to the bishopric by Pope Benedict XIII. without the election of the Chapter, who, however, did not dispute his appointment. He had previously been Archdeacon of Lothian. His parents were Robert and Annabella de Lawedre;<sup>2</sup> and from the arms often repeated on the cathedral and found on his seal, he must have been of the ancient family of the Lauders of the Merse.<sup>3</sup> He was appointed chancellor in 1423, and died 14th

<sup>1</sup> *Secundum veterem consuetudinem hujus ecclesie*, the deacons and subdeacons assisting in the office of the mass at the high altar on great festivals, are to have their *esculenta et poculenta* of the day, from the Canon on duty, or 18d. each, for their expenses.

<sup>2</sup> Crawford and Keith are mistaken as to this bishop's parentage. They both say his father was Sir Allan Lauder of Hatton. I have given their story of the manner of his appointment to the see,

because, though they both quote Fordun, who does not mention it, I find it in Spottiswood. It may be questioned, notwithstanding. Spottiswood says he was the first whom the Pope ever appointed of his mere authority to that see—certainly a mistake.—*Crauf. Off. of State. Keith's Bishops. Spottiswood.*

<sup>3</sup> "Three bars within an escutcheon, with mitre, crozier, and the badges of his episcopal dignity." *Crauf. Off. of State.*

June 1425. He built the crypt below the chapter-house, and the steeple, with the battlements of the tower.

John Cameron succeeded him in the bishopric as well as in the office of chancellor, after the see had been vacant for a year. He had previously been Secretary of State and provost of Lincluden. He continued chancellor till 1440. He built the "great tower" of the Bishops' Palace in Glasgow, on which his arms were to be seen in the last century; and also the Chapter-house, begun by Bishop Lauder. He has been accused of great avarice and oppression, not on very good evidence. Buchanan relates the manner of his death (which took place at Lochwood on Christmas-eve 1447), with some prodigious circumstances, represented as a judgment on his wicked life.<sup>1</sup>

The period of the next reign is now chiefly interesting to us as giving birth to the most important offspring of the Episcopal Church of Glasgow, its University. It was constituted by a bull of Pope Nicholas v., dated on the 7th of the Ides of January 1450, and had a charter of privileges and exemptions from the king, and another from the bishop and Chapter, 1453.

The general jubilee proclaimed in 1450, on the termination of the great papal schism, was extended to Scotland, and penitential visits and offerings at the Cathedral of Glasgow declared equally meritorious with those at Rome; the offerings on the occasion being distributed, one portion to the fabric of the church of Glasgow, one to

<sup>1</sup> "Tam perspicuum divinæ ultionis exemplum ut neque temere affirmare nec refellere est animus. Ita cum ab aliis

sit proditum et constanti rumore pervulgatum, omittere visum non est."  
—*Lib. XI.*

other pious uses in Scotland, and a third to Rome. An indulgence with regard to Lent, and a royal concession that bishops might make testaments, are common to all Scotland, and very well known. A new protection to the burgh, and an extensive grant of regality to the bishop, mark the greatness of his influence.

Of mere church economy—we find the patronage of Polmadie secured ; Lilisclive disjoined from the common stock of the Chapter, to be speedily afterwards reunited ; the prebend of Ashkirke enlarged ; Glencairn given to the Chapter as a common church, the vicar being secured in a stipend of twenty merks. By the decision of the Dean and Chapter, as arbiters between the bishop and the Archdeacon of Teviotdale, the archdeacon of that district was declared to have exactly the same jurisdiction in it as the Archdeacon of Glasgow in his part of the diocese.

James Bruce, the Lord Chancellor and Bishop of Dunkeld, was elected Bishop of Glasgow after the death of Bishop Cameron, but died before confirmation or investiture.<sup>1</sup>

William Turnbull, Archdeacon of Lothian, and keeper of the privy seal, was the next bishop.<sup>2</sup> During a short incumbency he procured valuable privileges, papal and royal, for his bishopric and city ; and he will ever be regarded with affectionate gratitude as the founder of the University of Glasgow. He died 3d September 1454.

Andrew Muirhead, a canon, was next elected bishop,

<sup>1</sup> The see was vacant in October 1447.

<sup>2</sup> "In that saym yer (1449) master

William Turnbull said his first mess in Glasgou the 20 day of September." - *Auchinl. Chron.*

and consecrated in the year 1455. He founded the hospital of St. Nicholas, near his episcopal palace, and repaired the north aisle of the cathedral. He was a member of the regency during the minority of James III.; several times a commissioner to treat with England; and one of the ambassadors to negotiate the marriage of James with Margaret of Denmark. He died 20th November 1473.

The reign of James III. is not productive. It yields us little more than a new constitution and improved stipends of the vicars of the choir; a dispute between the bishop and the chapter; a "reservation" of patronage and provision following on it, by the Pope;<sup>1</sup> an extension of the jurisdiction of regality.

John Laing, the Lord Treasurer, was provided by the Pope to the see of Glasgow, upon the recommendation of the king, on the 7th March 1473. He was made chancellor in 1481, and died 11th January 1482.

George Carmichael, treasurer of the diocese, was elected bishop, but died unconfirmed in the year 1483.<sup>2</sup>

Robert Blacader, Bishop of Aberdeen, and previously a prebendary of Glasgow, was the next bishop, 1484. He was much employed in the affairs of the government, went several embassies to England, probably made some journeys to Rome, and died, according to Lesley, on his way to the Holy Land on 28th July 1508.

James IV., full of enthusiastic religion, had become a

<sup>1</sup> I notice this only as a correct style of such a transaction. The thing itself was abundantly common, and I imagine will be found to have been attempted by the Pope almost invariably, when the

death of a beneficed churchman happened at the Roman court.

<sup>2</sup> Alive in February (28) 1483-84, and in 17th May 1484.—*Act. Parl.* ii. p. 166.

canon of the Chapter of Glasgow at an early period of his life, and loved to show favour to the cathedral of which he was a member. In the first year of his reign, it was "concludit and ordanit be our soverane lord and his three estatis, that for the honour and gud public of the realme, the sege of Glasgw be erect in ane archibishoprik, with sic previlegiis as accordis of law, and siclik as the archibishoprik of York has in all dignitez emuniteis and previlegiis."<sup>1</sup> To this change not only the Archbishop of St. Andrews, but the Chapter of Glasgow, was much opposed, fearing for their privileges, from the increased power of their prelate. The king, however, pressed the measure, and he, as well as the bishop, guaranteed the privileges of the canons to their fullest extent. The bull declaring the see of Glasgow metropolitan was dated 5th of the Ides of January 1491. Its suffragans were the Bishops of Dunkeld, Dunblane, Galloway, and Argyle.

The king renewed and extended the privileges and exemptions, and much valued civil jurisdiction of the bishop, with expressions that show both his attachment to Glasgow and the commencement of that high character of its Chapter which afterwards drew to the Diocesan court of Glasgow a great proportion of civil business.<sup>3</sup>

The Chapter acquired the church of Glasfurd as a common church during this reign. The erection of Lochvinyok is a valuable specimen of the early constitution

<sup>1</sup> *Act. Parl.* II. 213.

<sup>2</sup> *Pro specialibus favore et delectione quos habemus erga . . . Robertum . . .*

*Episcopum prelatum dicte ecclesie, suumque insigne capitulum quod inter regni nostri collegia secularia sibi primum locum vindicat.*

of the collegiate churches. The chancellor's vindication of his patronage of the grammar school, and his monopoly of teaching, against master David Dwne—who actually set himself to instruct scholars in grammar *et juvenes in puerilibus*—is not merely a subject of amusement. It illustrates both the state of education of the period, and those privileges of the church regarding schools, which enter into some weighty discussions touching the constitution of Universities.<sup>1</sup>

The preliminary proceedings in a criminal court of the archbishop's regality are evidently recorded only for preserving the protest against the court being held out of his jurisdiction. The trial ended in the conviction and capital sentence of Alexander Lekprevik; but he had a royal pardon.<sup>2</sup>

James Bethune, Bishop-elect of Galloway, was postulated to the see of Glasgow, 9th November 1508, and consecrated on the 15th April 1509, at Stirling. He was previously Lord Treasurer, but resigned that office

<sup>1</sup> 13th September 1494.—The complaint of Master Martin the chancellor bore that he and his predecessors, chancellors of the church of Glasgow, according to the statutes and custom of the church of Glasgow, were beyond memory of man in the peaceable possession of instituting and removing the master of the grammar school of the city, and of having the care and government and mastership of the said school; also that without the license of the chancellor for the time being, no one might hold a grammar school or instruct scholars in grammar, or youths in the elements of learning, alone or together, publicly or privately, within the said city or university—yet, nevertheless,

Master David Dwne actually gave himself to teaching and instructing scholars in grammar, and youths in the elements within the said city and university of Glasgow, openly and avowedly, without licence of Master Martin the chancellor, nay, in his despite.

To this Archbishop Robert responded and decreed that the said Master David Dwne ought not to keep a grammar school, or teach scholars grammar, or youths the elements within the said city and university, either alone or in company, publicly or privately, without the chancellor's leave asked and obtained. And, therefore, judicially put Master David to silence in the premises for ever.

<sup>2</sup> *Pitcairn, Crim. Trials*, p. 62\*, 110\*.

on his being preferred to the archbishopric. He held other great church benefices, as the abbacies of Arbroath and Kilwinning. He was made chancellor of the kingdom in 1515, and took a leading part in the politics of the time against the party of the Douglasses. In 1523, he was translated to the see of St. Andrews.

The chief proceedings recorded in the reign of James v. are connected with the claim of the archbishops of Glasgow to independence, and the assumption of superiority by the Archbishop of St. Andrews as primate, a dispute which gave rise to the most unseemly proceedings at home, and contentions and pleas in the court of Rome "of the quhilkis pleyis," in the words of Parliament, "the expensis is unestimable dampnage to the realme."<sup>1</sup>

The formula of the oath of obedience by a suffragan to his metropolitan is not without interest.<sup>2</sup>

Gavin Dunbar, the nephew of the Bishop of Aberdeen of the same name, and tutor to James v., was, on the promotion of Bethune, elected Archbishop of Glasgow, and consecrated at Edinburgh on the 5th of February 1525. He was appointed chancellor of the kingdom, 21st August 1528, which office he held till 1543, and died in April 1547. His character and the transactions of his life are matter of history, known to every reader. If he has been roughly handled by Knox, his greatest admirer could not wish for him a more elegant panegyric than that of Buchanan.<sup>3</sup>

<sup>1</sup> *Acta Parl.* 1493, II. p. 232.

<sup>2</sup> See Appendix.

<sup>3</sup> *Cœna Gavini Archiepiscopi Glasculensis. — Epigr.* I. 43.



The records of the church in the short reign of Mary are few and unimportant. We find a crowd of deeds marking the successive promotions of the last Catholic archbishop; a bond by the Duke of Chatelherault on being appointed the archbishop's bailie of regality; a memorandum of the form of election of bailies of the city under the archbishop; and the celebrated protest made by the archbishop in name of all the prelates in Parliament, against the act allowing "that the halie write may be usit in our vulgar tongue."<sup>1</sup>

On the death of Archbishop Dunbar, Alexander Gordon, brother to the Earl of Huntly, was chosen in his room, but resigned the office in 1551, and was immediately succeeded by James Bethune, then Abbot of Arbroath, who was consecrated at Rome in 1552. In 1560, he withdrew to France. Having served Mary faithfully as her ambassador or agent at the court of France, he was employed in the same capacity after her death by James. In 1598, by an Act of Parliament setting forth "the greit honouris done to his majestie and the countrie be the said archbishop, in exerceising and using the office of ambassadoir"—he was restored to his heritages, honours and dignities, and benefices, notwithstanding any sentences affecting him, and "notwithstanding that he hes never maid confession of his faith, and hes never acknawledgeit the religion profest within this realme."<sup>2</sup> We owe to him the preservation of the records of his church. He died very aged in 1603.

<sup>1</sup> It is to be found also in the records of Parliament.

<sup>2</sup> *Acta Parl.* IV. 169.

The city of Glasgow, which we have seen founded and rising under the protection of its powerful prelates, had maintained a successful struggle with the neighbouring royal burghs of Rutherglen, Renfrew, and Dumbarton, even before the bishop's acquisition of extended jurisdiction gave his city the privileges of a burgh of regality.<sup>1</sup> With the privileges derived from their superior's enlarged jurisdiction, and by the influence of increasing wealth and consequence, Glasgow had made some approach to an independent constitution before the Reformation.<sup>2</sup> The flight of the archbishop gave an opportunity not to be neglected. The council proceeded to the election of magistrates,<sup>3</sup> and the burgh then, in fact, achieved its independence, though still for some time subjected to claims of superiority by the Protestant archbishops, and by the family of Lennox, the heritable bailies of the regality.<sup>4</sup> Though represented in Parliament like other church burghs so early as 1546, the city did not become

<sup>1</sup> Previous to 1450, Glasgow was simply a bishop's burgh, or burgh of barony. In that year, the same in which he founded his University, Bishop William Turnbull obtained a charter of regality of his city and territory. The increased consequence of the magistrates is immediately apparent. An indenture between them and the friars preachers, dated 18th December 1454, runs in the name of "ane honorabyll mane John Steuart, the first provost that was in the cite of Glasgw." — *In archiv. Universit.*

<sup>2</sup> This is apparent even from the care with which the archbishop in 1553 recorded the form of his selection of magistrates from the leet presented by the community. Only next year, the archbishop sued the community for "alleging itself to be doted and infest be the

bishop's predecessors in certain privileges and liberties, and to be infest be the kings," and for refusing to pay certain duties to the bishop. In that suit the burgh was assoilzied. — *Decree 10th Dec. 1554, in archiv. Civit. Glasg.*

<sup>3</sup> There is preserved a notarial instrument, ult. Sept. 1561, setting forth that search had been made by the town of Glasgow for the archbishop, in order to the election of magistrates, and protesting that, he being absent, the council may elect. — *Ibid.*

<sup>4</sup> There is a royal letter, subscribed also by the Duke of Lennox, "overgiving the Duke's claim of superiority in the election of the magistrates of the burgh," dated at Hampton Court, 27th November 1605. — *Ibid.* But in the same archives there are many documents show-

legally a *burgh royal* till the charter of Charles I., confirmed in Parliament 1636, declared its duties payable directly to the Crown.<sup>1</sup>

The bishop of old dwelt in his castle of Glasgow, occupying I believe the site of the modern Infirmary. As the necessity of defence gave way to considerations of convenience, it was extended into a palace with gardens and courts.<sup>2</sup> The houses of the Dean and canons and of the Cathedral vicars were in the neighbourhood, and chiefly along the street bearing the ancient ecclesiastical name of Rottonrow.<sup>3</sup>

The bishop is said to have had, from a very ancient period, a country palace on the pleasant bank of Perthic, where the Kelvin falls into Clyde. It is a remarkable proof of the peaceful state of the Borders in the middle

ing that the disputes concerning the election of magistrates continued for many years. In 1655, Esme Duke of Lennox was served heir to his father in "the title of nomination and election of the proveist, baillies, and other magistrates and officers of the burgh and citie of Glasgow."—*Ret. Lan.* 259.

<sup>1</sup> Even then certain rights were reserved, on which questions arose, until in 1690, a charter of William and Mary, ratified in Parliament, ordained that the city of Glasgow and town-council thereof shall have power and privilege to choose their own magistrates, . . . as fully and freely in all respects as the city of Edinburgh, or any other royal burgh within the kingdom enjoys the same.

<sup>2</sup> It was in its "inner flower garden," the archbishop received the magistrates in 1553. I am not acquainted with its history after the Reformation. Among the scattered leaves saved from the fire at the Exchequer in Edinburgh, is a Representation to the Barons, by "Ro-

bert Thomson, merchant in Glasgow," dated 1720, which sets forth that "the Castle formerly possess by the Archbishops is, throw its not being inhabited thes many years past, become wholly ruinous. . . And also that some bad men are become so barbarous and unjust as to carry of the stones, timber, sklates and other materials belonging thereunto, and apply the same to their own particular use, to the shame and disgrace of the Christian religion. . . Which the said Robert Thomson, as living neer to the said castle, thought his duty to represent to your Lordships."

Two views of the ruined palace are given in Dr. Smith's *Burgh Records of Glasgoie*, neither of which convey an idea of much splendour.

<sup>3</sup> It will be observed that the framers of these deeds adopted the popular etymology—*via rattunum*. The name is now generally supposed to be derived from Routine row—an unsatisfactory etymology.

of the thirteenth century, that we find Bishop Bondington making his usual residence at his house of Ancrum, in "pleasant Teviotdale," a place still bearing many marks of old cultivation, and where a portion of the building, and until lately some remains of an antique garden, might without violence be attributed to its old episcopal masters. In the next century they had a house at their "manor of the Loch," still called Lochwood, in the parish of Old Monkland. The bishops, who were so frequently Officers of State, had necessarily a residence in the capital. The first Bishop Bethune's Edinburgh house is still pointed out at the foot of Blackfriars' Wynd.

There is no reason in the thing, why these rough and true outlines of episcopal history should be thus repulsively void of life and colour. There are materials enough for the artist who could sympathize with the life of a bygone time to paint many pictures from them. Take one day of episcopal Glasgow, the day of the foundation of the University. Fill that old High Street with its historical associations; remove the smoke and squalor that in our days gather about the eastern extremities of cities; restore the quaint architecture—the burghers' houses thrusting their tall gables and "fore-stairs" to the street, the line broken with here and there a more ornate front of a friary or hospital, or the residential house of some dignified canon: dress the people in the picturesque dress of the fifteenth century—the merchant sallying forth in his gown and bonnet of peace, the women in snood and kirtle decking their windows and outer stairs

with green boughs, and hanging bright carpets and banners from their balconies. The merchants' stalls are mostly closed, for it is holiday. The few booths open display commodities to tempt the rural visitors—gay cloths and silks of Flanders and Italy—a suit of Milan armour, long swords and daggers of Toledo temper—sheaves of bow-staves and tall spear shafts—so tall, that poor bare Scotland has no wood fit to make them, and they are from over sea. The country people are gathering in fast, all in holiday garb, “kindly tenants” of “the barony;” sturdy yeomen from the upper wards, mounted, and with their dames on pillions behind them, willing to see the grand ceremony, and to pleasure their lord the Bishop, who takes mighty interest in its object. A dozen lords of neighbouring manors ride in—Maxwells and Hamiltons, Douglasses and Colquhouns—some of them with a dim vision of the matter in hand, and of the effects that may result from this day's work to future generations. Each of these rural lords is attended by a little troop of men-at-arms, flaunting their leader's banner, and making gay the street with the clang and splash of their chargers.

The different bands meet at the Cross, and all press up the High Street, until, near the summit, and when the grey cathedral comes in sight, they find the church procession already formed. The Bishop is there in pontifical robes and mitre, preceded by his cross-bearers, and followed by the dignitaries and whole chapter in full canonicals, all the choral vicars, hundreds of chaplains, acolytes, and officers of the cathedral, with the banners of the church, and all the pride and pomp which the old

church was so skilful in throwing around her proceedings. There, too, came some lines of friendly friars, black and grey, so much interested in the occasion that some are preparing their great refectory as the most convenient hall for the first lectures, and others furnish the most esteemed and popular of the teachers of the new University.

From the street to the Cathedral, and that vast nave is filled at once ; while, in the choir, after a solemn mass has been celebrated, amid the pealing of the organ, the clang of trumpets and clouds of incense, the stately prelate in person promulgates the Papal bulls of erection and privilege, and solemnly inaugurates the University.

Then there is high feasting at the palace. The Bishop and his noble guests, Master David Cadyow, first Lord Rector of the University, the dignitaries of the chapter, the priors and provincials of the friars, and heads of religious houses, on the dais ; lower down, the body of the clergy and laity deemed worthy to partake of the solemn feast.

There is a play, too, for the commons, a “ scripture history ” represented by the clergy, and, I fear, in the church itself, where prophets and apostles are made to speak to the level of the vulgar, and sacred things are seasoned with the buffoonery that brings down, without fail, the laughter of the simple people.

History scarcely affords more striking contrasts than the past and the present of some of our Scotch towns. Call up, for instance, Edinburgh on the fearful night that brought the news of the king and his army slaughtered

at Flodden (1513), and take the same city as it was lately seen when the Queen reviewed the volunteers in the park of Holyrood (7th August 1860). But in all material progress the change has been yet more extraordinary, from the Bishop's little burgh clustered round the cathedral of Glasgow, to the great city which, in the pride of her beauty and riches, and the struggle for more, takes little thought of her grey old mother the Cathedral in one smoky corner, and her nurse the University in another. Yet Glasgow has not since seen a day so full of the hopes and destinies of her history, as the day when good Bishop Turnbull proclaimed the freedom of her University.

Our next sketch of cathedral life shall be taken from a wilder region.

When the Bishopric of Caithness was founded, whether by Alexander I. or by his brother King David, the Scotch monarch exercised but a partial and uncertain sway over the territory of the new northern diocese. The peninsula beyond the Moray Firth was for long afterwards in the hands of the Norsemen, who acknowledged their allegiance to the kings of Scotland only when it suited them to resist the more distant authority of the crown of Norway, or when divisions among themselves rendered it impossible to assert an absolute independence.

The Dalesmen of Caithness and Sutherland, however, unlike their island neighbours, drew their ecclesiastical institutions from Scotland ;<sup>1</sup> and this must have been one

<sup>1</sup> The legendary history of the Church in Caithness, pointing to a time before the Northmen had any footing there,

connects it still more with the missionaries of Ireland and Scotland.

The legend of St. Fimbar, or St. Barr,

means of preserving the connexion between them and Scotland proper, when the authority of the Crown was little felt so far. David I., early in his reign, addressed a letter to Rognvald Earl of Orkney, and to the Earl (he does not name him) of Caithness, and to all good men of Caithness and of the Orkneys, praying that, for love of him, they would favour the monks who dwelt at Dornoch in Caithness, and protect them wherever they came within their bounds, and not permit any to do them injury or shame.<sup>1</sup>

The Abbey of Scone was from an early period peculiarly connected with Caithness and Sutherland. Harald, styling himself Earl of Orkney, granted a mark of silver yearly to the canons of Scone, for the weal of the souls of

the bishop, "qui in Cathania magno cum honore habetur" (*Brev. Aberdon. mense Septemb. fol. cxv.*) is plainly identical with that of St. Fimbar, first Bishop of Cork, who has been rudely transplanted to Scotch ground, with all his miracles and renown—marking, perhaps, the early settlement of some Irish colonists, bringing with them the veneration they had rendered in their old country to the patron saint of their tribe or province.

Saint Duthac was connected with Caithness. He is said to have wrought a miracle at Dornoch, on the festival of St. Fimbar, to whom, perhaps, that cathedral was of old dedicated.—*Brev. Aberdon. mense Marc. fol. lxxv.*

Saint Fergus, bishop and confessor, is likewise numbered among the missionaries who preached the faith in Caithness. He was consecrated to the episcopal office in Ireland, from whence, sailing with a few priests and clerks to the western parts of Scotland, he reached Strogeth. There, for some time, he led a solitary life; but seeing the land that it was good, he put his

hands to the work, and founded and endowed three churches there. Thence he retired into Caithness, still preaching Christianity and converting the people, not more by his eloquence than by the lustre of his virtues. From Caithness he sailed to the shores of Buchan, to a place known to the vulgar as Lungley, where he built a church that still bears his name. Last of all, he came to Glamis, in Angus, where he chose his place of rest. There he died and was buried; but his relics, after many years, were translated to the Abbey of Scone, where they did many famous miracles.—*Brev. fol. clxiv.* Certain other of his relics were preserved in the treasury of the cathedral church of Aberdeen.—*Regist. Aberdon. II. 143, etc.* The ultimate deposit of the bones of the saint of Caithness in the church of Scone marks their early connexion. It is remarkable, that the great house of Le Chene, so much connected with Caithness, was proprietor of the parish in Buchan, which derived its name of St. Fergus from the Caithness saint.

<sup>1</sup> *Regist. Dunferm. 23.*



him and his wife, and for the souls of his predecessors.<sup>1</sup> In the reign of Alexander II., when the king's writ was of some potency, the Abbot of Scone obtained a royal precept to the sheriffs and bailies of Moray and Caithness, for the protection and defence of the ship belonging to the convent, while on her voyage within their jurisdictions. These transactions prepare us for finding the Abbey, at a somewhat later period, the proprietor of the church of Kildonan, with the lands of Borubol, which were the subject of a curious bargain in 1332.<sup>2</sup>

The first of the bishops of the northern diocese, of whom we have any knowledge, was Andrew. He cannot have resided much in his bishopric, and indeed appears to have been in almost constant attendance on the court of King David I., and his grandsons, Malcolm and William. He was present, however, at one memorable transaction, the beginning of great calamities to his diocese. In the time of Pope Alexander III., Earl Harald, for the redemption of his sins, granted to the Roman see a penny yearly from each inhabited house in the earldom of Caithness;<sup>3</sup> and that grant was attested by Bishop Andrew, and other nobles of the land. Bishop Andrew was once a monk of Dunfermline. Deriving probably a scanty revenue from his bishopric, he had a

<sup>1</sup> *Liber de Scon.* 58.

<sup>2</sup> *Liber de Scon.* 162.

<sup>3</sup> *Epist. Innoc. III.* i. No. 218. A similar grant was made to the Monks of Paisley by the Lords of the Isles in the twelfth century—*singulis annis unum denarium ex qualibet domo totius terre sue unde fumus exiit.*—*Regist. Passelet*, 125. It was an imitation of the hearth-

tax, called Peter's Pence, or *Romfeoh*, in Saxon England. The same principle of assessment prevailed in the vexatious petty rents that so long oppressed the Orkneys, and some of which are yet known among us, as "kain." It is not yet beyond memory, even on the mainland, that each fire-house of a barony paid its "reck hen"—*unam gallinam de qualibet domo unde fumus exiit.*

grant of the land of Hoctor common from David I., and held the church of the Blessed Trinity of Dunkeld ; which was bestowed by Malcolm IV. upon the Abbey of Dunfermline, as soon as it should fall vacant by his death.<sup>1</sup> He was undoubtedly a person of eminent qualities, were we to judge only from his being so constantly attached to the court and person of a monarch like David I., and his grandsons.<sup>2</sup> He is quoted, as an authority on the geography of his country, by the English author of the little fragment, "De situ Albanie," which has been attributed to Giraldus Cambrensis.<sup>3</sup> Andrew was bishop from about the year 1150,<sup>4</sup> and he held the see till his death, on the 3d of the kalends of January 1185.<sup>5</sup>

The next Bishop of Caithness was John. It appears that at first he declined to exact the Papal contribution ; but the Pope (Innocent III.) summoned him to obedience, and even granted a commission to the Bishops of Orkney and Rosmarky to compel him to levy the tax, by the heavy censures of the church.<sup>6</sup> Whether the poor bishop complied, or attempted to enforce the exaction of the tax, we are not informed ; but his subsequent fate, as narrated

<sup>1</sup> *Regist. de Dunfermlin.*

<sup>2</sup> There is much reason to think he was a man of property, and that the Church of Dunkeld was his of inheritance. Bishop Richard of Dunkeld confirmed to Dunfermline "donationem regis Malcolmi et Andree episcopi Katenensis secundum quod eorum carte testantur, ecclesiam s. trinitatis de Dunchelde et omnes terras juste ad eam pertinentes."—*Denmylne Col. of Orig. Ch.* No. 81.

<sup>3</sup> "Sicut mihi verus relator retulit Andreas videlicet vir venerabilis Kata-

nensis episcopus natione Scottus et Dunfermelis monachus."—*T. Innes's Critical Essay*, App. I. Innes's reference is now antiquated. The fragment still exists, however, in the Royal Library at Paris.—*MS. Reg.* 4126, fol. 18. A collation by M. Teulet of the *Archives de l'Empire* has furnished very few and unimportant corrections of the text as settled by Innes, and none that affect the sense of this curious piece of antique geography.

<sup>4</sup> *Regist. Glasg.* 11.

<sup>5</sup> *Chron. Mailr.*

<sup>6</sup> *Epistol. Innoc. III.* I. No. 218.

in the wild sagas of the Norsemen, might appear incredible, were it not singularly corroborated by a Roman record. Earl Harald Madadson, who had been deprived of his Caithness possessions by William the Lion, resolved to recover them by force, and crossed from his Orkney kingdom to Thurso, with a great fleet. There was no force capable of resistance. The bishop, who was residing in his palace of Skrabister, went out to meet him, as the intercessor for the poor Caithness men; but the savage Earl took him and cut out his tongue, and dug out his eyes with a knife.<sup>1</sup> The saga goes on to tell us, that Bishop Ion recovered the use of his tongue and his eyes, by the miraculous intervention of a native saint, written Tröllhæna.

The latter part of the story is not vouched by any good authority; but some part of the barbarity of the Earl, and the bishop's sufferings, is confirmed by the following letter of Pope Innocent, ascribed to the year 1202, addressed to the Bishop of the Orkneys:—"We have learnt by your letters that Lomberd, a layman, the bearer of these presents, accompanied his Earl on an expedition into Caithness; that there the Earl's army stormed a castle, killed almost all who were in it, and took prisoner the Bishop of Caithness; and that this Lomberd (as he says) was compelled, by some of the Earl's soldiery, to cut out the bishop's tongue. Now, because the sin is great and grievous, in absolving him according to the form of the church, we have prescribed this penance for satisfaction of his offence, and to the

<sup>1</sup> *Orkn. Saga*, 414.

terror of others— That he shall hasten home, and, barefooted, and naked except breeches and a short woollen vest without sleeves—having his tongue tied by a string, and drawn out so as to project beyond his lips, and the ends of the string bound round his neck—with rods in his hand, in sight of all men, walk for fifteen days successively through his own native district, the district of the mutilated bishop, and the neighbouring country ; he shall go to the door of the church without entering, and there, prostrate on the earth, undergo discipline with the rods he is to carry ; he is thus to spend each day in silence and fasting until evening, when he shall support nature with bread and water only ; after these fifteen days are passed, he shall prepare within a month to set out for Jerusalem, and there labour in the service of the Cross for three years ; he shall never more bear arms against Christians ; for two years he shall fast every Friday on bread and water, unless, by the indulgence of some discreet bishop, or on account of bodily infirmity, this abstinence be mitigated. Do you then receive him returning in this manner, and see that he observe the penance enjoined him.”<sup>1</sup>

William the Lion did not fail to exact the penalty of such an outrage. In 1197, he collected a mighty army, crossed the Oikel, and, perhaps for the first time, entirely subdued and intimidated the provinces of Northern Caithness and of Sutherland. As usual, the blow fell upon the people. The guilty chief made terms, and left

<sup>1</sup> *Epist. Innoc. III.* III. No. 77.

his Caithness subjects to pay the enormous fine of a fourth of their whole possessions.<sup>1</sup>

In the midst of such fierce manners, civilisation held the same course here as in the southern districts of Scotland. The Church had taken the lead—laying her hand heavily indeed upon the poor victims, but through all obstacles vindicating the supremacy of the spiritual power. Following as her ally, the sovereign used the policy of his grandfather, and introduced into his new province settlers of a different race. The chief of these were the family which soon began to be known by the surname of *De Moravia*, transplanted from the opposite shore of the Moray Firth. The first whom we find beyond the Firth, Hugh Freskyn, must have been possessed of a wide territory, if not the whole of Sutherland, in the reign of William, when he bestowed extensive estates there on his kinsman, Gilbert, then Archdeacon of the diocese of Moray, under the condition, that they should be destined by the churchman to some of his own lineage. William, the son of Hugh Freskyn, was styled “Lord of Sutherland;” and it was probably for him that Alexander II. erected the earldom out of this “Southern land” of old Caithness. His son, undoubtedly, was Earl of Sutherland, from whom the land and territorial honour have descended in an unbroken line to the present day.

It was, perhaps, some time before the province was reduced sufficiently to bear the experiment of another tithe-gathering bishop. At least, we hear of none intermediate between John (who is supposed to have died of

<sup>1</sup> *Orkn. Saga*, 416; Fordun; Hailes.

the effects of his mutilation) and Adam, who was elected Bishop of Caithness on the nones of August 1213, and consecrated by the Bishop of St. Andrews on the day of St. Mamertus, the 11th of May 1214.<sup>1</sup>

He had been previously Abbot of Melrose. The Orkney Saga tells us, that no one knew the family of Bishop Adam, for he was a foundling exposed at a church door.<sup>2</sup> King William, however, imitating his grandsire, in zeal for the church, and labouring to enforce the payment of tithes in the remotest and most barbarous districts,<sup>3</sup> found the Abbot of Melrose a fit person for his purpose, and placed him over the northern diocese. It was the established usage of Caithness, that for every score of cows a *span* of butter should be paid to the bishop. Bishop Adam was not contented with this proportion, and at first exacted the same quantity from fifteen cows; then from twelve; and at length demanded a *span* for every ten cows.<sup>4</sup> Here the en-

<sup>1</sup> *Chron. Mailr.*

<sup>2</sup> In opposition to this statement, one authority makes Bishop Adam the son of King Alexander II., by his second wife, Queen Mary—a very glaring anachronism; but the note, if worth attention at all, may point either to another king or another bishop.—*Erroll MS.*, quoting “An anonymous MS. History of Scotland, writ under James V., a copy of which is now in the King’s College, Aberdeen.”

<sup>3</sup> As in the wilds of the diocese of Moray.—*Regist. Morar.* Nos. 1, 5; in Carrick and Lennox—*Regist. Glasg.*

<sup>4</sup> It must be observed, that this is given differently by our Scotch chroniclers. Wyntoun tells the story :—

“ Adam the byschape of Catenes  
That abbot of Melros before wes,  
For he denyid hys tendis then  
For til set til hys awyne men;  
Thre hundyre men in company  
Gaddryt come on hym suddanly,  
Tuk hym owt quhare that he lay  
Of his chawmyre befor day,  
Modyr nakyd hys body bare;  
Thai band hym, dang hym and  
woundyt sare  
In-to the nycht, or day couth dawe.  
The monk thai slwe thare, his falawe,  
And the child that in hys chawmyr lay,  
Thare thai slwe hym before day.  
Hymself bwndyn and wowndyt ayne,  
Thai pwt hym in his awyn kychyne;  
In thair feluy and thare ire  
Thare thai brynt hym in a fyre.”—  
VII. 9.

duration of the people ceased. They assembled in a threatening manner on a hill near the bishop's manor of Haukirk, in Thorsdale. The Lögmadhr, or lawman, besought the bishop to yield, and to spare his oppressed people, but Bishop Adam was not to be moved. The Earl refused to interfere for reconciling the difference. The populace rushed to the house, in a loft of which the bishop and his party were *drinking* (says the Saga). A monk, his prime adviser, Serlo of Newbottle, went to meet them at the door. Him they fell upon, and threw back his dead body into the loft. The chronicler of the bishop's old monastery of Melrose maintains that Adam coveted martyrdom, and preferred death to abandoning the rights of the church, or to allowing the flock intrusted to him to remain longer in error. The Skald of the north tells us, that, after his councillor's death, he entreated Rafn, the lawman, to endeavour to make terms ; and the wiser part of the people met him joyfully. But it was too late. As the bishop came out to confer with them, the violent part of the crowd became infuriated, seized him, thrust him into a hut, some say his own kitchen, and set fire to it ; and thus miserably perished Bishop Adam, on Sunday, the octaves of the Nativity of the Virgin, 1222.

At these tidings, says the saga, King Alexander of Scotland was so wroth, that men still remember the dreadful vengeance he took on Caithness for the burning of the bishop ; harrying the land, slaying or expelling the inhabitants.<sup>1</sup>

<sup>1</sup> *Orkn. Saga*, 424 ; *Chron. Mailr.* ; *Eccl. e Var. Chron.* ; Fordun, &c.

After all these deeds of violence, it became necessary to set a new bishop in the see of Caithness; and while it must have been difficult to find a fit person for the office, the fate of the former bishops had not been such as to render churchmen in general ambitious of it. The person chosen was Gilbert, the Archdeacon of Moray—a member of the great family of De Moravia, and himself already possessed of great estates in Sutherland, by the gift of his kinsman Hugh Freskyn. Gilbert was son of the Lord of Duffus, one of the chief castles of the family of De Moravia before they left their native province;<sup>1</sup> and although his father's name is nowhere precisely given, it may be asserted, without much doubt, that he was the son of William de Moravia, Lord of Strabrok and Duffus, and thus cousin-german of William Lord of Sutherland. The policy of selecting a man so connected, if otherwise eligible, for a bishopric in the difficult circumstances of Caithness, is sufficiently obvious; and Bishop Gilbert appears to have turned to account for the diocese all the means which his position and connexion put in his power. He wielded not only the influence of his family and his own possessions, but the power of the Crown. He administered the affairs of government in the north, and superintended the building and fortifying of several royal castles for the security of the country.<sup>2</sup> He exercised his influence with Alexander to mitigate the severity of the punishment of the Caithness people

<sup>1</sup> "*Iste Gilbertus erat filius domini de Duffus*"—marginal note on the ancient chartulary of Moray.

<sup>2</sup> Sir R. Gordon, the historian of the

Earldom of Sutherland, mentions a tradition, that he was the builder of the Castle of Kildrummy, in Mar—the noblest of northern castles.



for the burning of their bishop, his predecessor. He built the cathedral church of his see at Dornoch at his own expense, and its endowments were evidently of his gift, or procured by his means.

In the charter-room at Dunrobin is his charter of constitution of his newly built or projected cathedral. It is not dated, and its era can only be limited by the period of Bishop Gilbert's episcopate, extending from 1223 to 1245. About the same time many Chapters were engaged in defining and authenticating their cathedral constitutions; and we have recorded acts of this kind, of Aberdeen, and of the great Cathedral of Glasgow, whose Chapter sent to Salisbury for the model of its constitution. But the diocese of Moray was the one to which the Bishop of Caithness would naturally look for his example, as his native diocese, in whose Chapter he had held a dignified office, and where the present bishop, Andrew de Moravia, was of his own kindred.

As Salisbury had furnished the model adopted by the Chapter of Glasgow, so the Chapter of Moray took Lincoln for its guide and rule; and, in the beginning of the thirteenth century, Bishop Bricius of Moray had despatched the Dean Freskyn and Andrew de Moravia, the Chancellor of his diocese (destined to be his successor), to learn accurately the customs and privileges, the constitution and order observed in the Cathedral of Lincoln. In framing his constitution for his northern diocese, again, Bishop Gilbert followed that of Moray in all particulars but one. There were the same number of canons, the same dignitaries in each; but in Moray, as

in others of the Scotch cathedrals, the bishop sat in the Chapter as a simple canon, without pre-eminence of rank or authority. In Caithness, the bishop, legislating for himself, and dealing with endowments of his own granting, determined it otherwise.

Our record bears that, in the times preceding the episcopate of Bishop Gilbert, such was the poverty of the place, and so much had it suffered by continual wars, that in the cathedral church there was but a single priest celebrating service. The bishop, desirous to set forth more worthily the Divine worship, determined to rebuild the cathedral at his own charges, and to erect it into a conventual church, with such endowment as his narrow means admitted.

The Chapter of the Cathedral of Caithness was declared to consist of ten members, the Bishop being the chief and pre-eminent, and receiving the fruits of six parish churches (unluckily not named) for his use. Of the other five dignitaries, the Dean had for his prebend the church of Clun (*Clyne*), the great tithes of the city of Dornoch and of the town of Ethenboll (*Embo*), with a fourth of the altarage of Dornoch and the whole land of Nethandurnach. The Precentor had the church of Creich, the parsonage tithes of Pronci, Auelech (*Evelix*), Strathormeli (*Strachormlary* or *Achormlary*, in *Dornoch parish*), Askesdale (*Ausedale*), and Rutheverthar (*Rhiarchar*), the fourth of the altarage of Dornoch, with the whole land of Hutherhinche at Dornoch. The prebend of the Chancellor was the church of Rothegorth (*Rogart*), the parsonage tithes of the twelve dauachs of

Scelleboll (*Skelbo*), and another fourth of the altarage of Dornoch. The Treasurer's consisted of the church of Larg (*Lairg*), the rectorial tithes of Scitheboll (*Skibo*) and Sywardhoeh (*Sydera or Cyderhall*) (except those of Strathormeli), and the remaining fourth of the altarage of Dornoch. The Archdeacon had for his prebend the churches of Bauer and of Watne (*Bower and Watten*). Of the undignified canons, the first had the church of Olrich for his prebend ; the second the church of Donot (*Dunnet*) ; and the last the church of Cananesbi (*Canisbay*). The churches of Far and Scynend (*Skinnet*), the lands of Pethgrudie (*Pitgudie in Dornoch*), two Herkenhyis, and the common pasturage of Dornoch, were common to the prebendaries, and assigned in an artificial manner, in the view of securing cathedral residence. The canons had each a toft and a croft in the city of Dornoch. The dean was obliged to residence for half the year ; the other canons to three months yearly of residence. The bishop and dignitaries were bound to provide *priests* as their cathedral vicars or stallers ; of whom the bishop's vicar alone had a provision from the cathedral—the rectorial tithes of Thoreboll (*Torboll*) and of Kynald, and twenty acres of land at Dornoch, with a toft and croft there. The simple canons were allowed to find vicars in *deacons'* orders. The church of Dyrnes (*Durness*) was bestowed upon the cathedral, to find light and incense. A singular part of the constitution of the Chapter was, that the Abbot of Scone was of right a canon of the cathedral, although not bound to give residence. His prebend was the church of Keldu-

ninach (*Kildonan*), the property of the monastery of Scone.<sup>1</sup>

It is not merely the love I bear to a beautiful old charter—though that is something—nor the interest that gathers round the good Bishop Gilbert, nor the taste I confess for a bit of Christian antiquity of any sort—not to speak of such a perfect specimen of early diocesan constitution—that leads me to copy these details with such minuteness. There is something, I find, infinitely attractive in this first *record* of civilisation, forcing its way through the black barbarism of the North; to see Bishop Gilbert's cathedral rising, but a few years after the savage murder of his predecessor; to find churches and parishes now established on the rocks of Cape Wrath and the desert of Reay, and all through the former dominions of the fierce old Jarls, looking to the little cathedral city as their mother and guide. Even the requirement of cathedral residence—depriving those remote parishes for a time of their ministering teachers—had some compensation when the rustic priest was the only organ of communication with the outer world, and brought back yearly to his wild home some rumours of the events and speculations that were agitating Christendom.

As regards the little city and its cathedral society, it is difficult for a Scotchman now to call up to his ima-

<sup>1</sup> The places in the charter are for the most part easily identified. Helgedall is now Halladale. Ra is the parish of Reay, partly in Sutherland, partly in Caithness. Herkhenyis is not known. Scynend is the church of St. Thomas of Skinnet. Sytheraw now figures as Cyder hall, a place near Dornoch. It

will be observed, that besides receiving the seals of the Bishop and his Chapter, both of which are now gone, the deed has been prepared for their subscription of their names, which was much more unusual. Neither the Bishop nor the Canons, however, have actually subscribed,

gination the cathedral towns of old Scotland, even of a much later period than we are glancing at. The effect of such a society of dignified churchmen, holding a high position for influence and example, cultivating letters, preaching peace, and (for the most part) practising it, must have been great and beneficial in any rural district, and at any time; but a glance at the past history of Caithness enables us to appreciate better the benefits conferred upon Dornoch by the establishment of its bishop, its cathedral, and its chapter.

There are a good many mistakes in the common lives of Bishop Gilbert de Moravia.<sup>1</sup> It does not appear that he ever held the office of High Chamberlain of Scotland, though he probably administered the Crown property in the north. The story of his having distinguished himself at the Council of Northampton in 1176, and thereby winning a rapid promotion to his bishopric, when his election to the see of Caithness happened forty-seven years after that Council, needs no refutation. He had better titles to respect. He had a large share in civilizing his rude province. He interposed between the vengeance of the king and the ignorant multitude. He made himself popular and beloved where his predecessors had been murdered; and, for whatever other miracles he was canonized, for these benefits he deserved to live in the affectionate memory of his people as "Saint Gilbert." His festival was celebrated on the first day of April; and Saint Gilbert was among the Scotch saints restored to the kalendar of the Scotch church

<sup>1</sup> Spottiswood, Keith, etc.

in the ill-starred Service Book of King Charles the First.<sup>1</sup>

Our last sketch for illustrating the old cathedral life of Scotland, shall be taken from the annals of the bishopric of Aberdeen, though its saintly bishops—Elphinstone and Forbes—came too late for canonizing.

An ancient biography of Saint Columba informs us, that one of his Irish disciples, named Machar, received episcopal ordination, and undertook to preach the gospel in the northern parts of the Pictish kingdom. The legend adds, that Columba admonished him to found his church, when he should arrive upon the bank of a river, where it formed, by its windings, the figure of a bishop's crosier. Obeying the injunctions of his master, Machar advanced northwards, preaching Christianity, until he found, at

<sup>1</sup> It would appear that the relics of St. Gilbert were had in reverence till a recent period. On the 23d day of April 1545, in presence of John Earl of Sutherland; of Thomas Murray, Precentor, and Thomas Stewart, Treasurer of the Cathedral church of Caithness; of Duncan Chalmers, Chancellor of the Cathedral church of Ross, and Paul Freser, pensioner of the Deanery of that church—in the chapter-house of the said Cathedral church of Caithness, appeared John Gray of Kilmaly, and made oath, *touching the relics of the blessed Saint Gilbert*, that he was altogether innocent of the coming of the servants and accomplices of Donald M'Ky of Far, within the bounds of the Earldom of Sutherland, and of the slaughter, depredation, and spulzie of goods there by them committed, and that he was not aiding or counselling of them therein. Then, John Matheson, Chancellor of Caithness, and the said John Gray, gave their

great oath, *touching the relics of the most blessed Saint Gilbert*, to be faithful to the said Earl of Sutherland. And thereafter, Murquhard Murray in Pronsi, and Walter Murray in Auchflo, made oath—*tactis sacrosanctis beatissimi Gilberti reliquiis*—that, in riding with their complices in the month of October last, to the harbour of Unis, they nowise intended the hurt of an honourable man, Hugh Kennedy of Girvane Mains.—*Protocol Book of Mr. David Seaton, 1534-1577, among the Records of the City of Aberdeen.* For the events, see Sir R. Gordon's History, p. 111.

Sir Robert Gordon, far more accurate than the common herd of genealogical writers, refers to the WILL of Bishop Gilbert de Moravia as still extant in the Registers of the See of Caithness in his time, or about 1636. If that document chance to have escaped destruction, it would be of singular interest to the law antiquary.

the mouth of the Don, the situation indicated by Saint Columba, and finally settled there his Christian colony, and founded the church which, from its situation, was called the Church of Aberdon.<sup>1</sup> The life of the apostle of the Scots from which we derive this information, of much higher antiquity than any history of civil affairs in Scotland, does not fix the precise era of Saint Machar's foundation; but it may be conjectured to have been before the death of his master, which took place in the year 597. The venerable Breviary of Aberdeen gives, as the ancient tradition of the church, that the founder of the future cathedral was not interred there; but, having died in France on his return from a journey to Rome, he was buried in the church of Saint Martin of Tours.

Another adventurous band of missionaries of the same stock pushed still farther into the pagan fastnesses of the north, and established their little Christian family in the sequestered valley of the Fiddich, at Morthlach.<sup>2</sup> Their colony must have thriven in the benevolence of the people, since, in the beginning of the twelfth century, the "Monastery of Morthlach" was possessed of five churches with their territories.

It was the fate of the ancient Columbite foundations in Scotland to disappear under the reforming vehemence of David I., the most zealous of Romanists; who raised on the ruins of many a primeval monastery, his grand

<sup>1</sup> *Ubi flumen, presulis instar baculi, intrat mare*; Colgan Trias Thau.—*Breviar. Aberdon.* 12 Nov. The lives of Saint Columba, written by his immediate followers and contemporaries, are, per-

haps, the most ancient genuine materials of Scotch history.—*Act. Sanct. Jun.* 9, p. 184.

<sup>2</sup> *Bull of Adrian IV.* confirming previous donations.—*Regist. Aberd.* p. 5.

establishments of Augustinian canons or Benedictines, or converted their convents into the chapters of his new episcopal dioceses. In this manner, the bishopric of Aberdeen was founded by David, and endowed with several of the old Columbite possessions, among others, with the "Monastery of Morthlach," and its five churches.

The most distinguished of the Bishops of Aberdeen was William Elphinstone, who was promoted to the see in 1483, and held it till his death in 1514. In an age of general immorality which peculiarly disgraced the church, himself the offspring of an illegal connexion of an ecclesiastic, his morals were a pattern and a reproach to his country and his order.

His life has been written by Bocce, a contemporary,<sup>1</sup> whose manner it is to discard dates; and his character drawn without much rhetorical embellishment by Leslie and by Spottiswood. We know him in the history of the time as the zealous churchman, the learned lawyer, the wise statesman; one who never sacrificed his diocesan duties to mere secular cares, but knew how to make his political eminence serve the interests of his church; who, with manners and temperance in his own person, befitting the primitive ages of Christianity, threw around his cathedral and palace, the taste and splendour that may adorn religion; who found time amidst the cares of state, and the pressure of daily duties, to preserve the Christian antiquities of his diocese, and collect the memories of those old servants of the truth who had

<sup>1</sup> Vidimus hominem, quem vidiſſe, ſingularem ab præſtantiam, et nobis gaudemus, et Deo optimo maximo non vulgares habemus agimusque, et habemus atque agemus dum vivemus, gratias.—*Bocce. Epiſc. Aberd.*



run a course similar to his own ; to renovate his cathedral service, and to support and foster all good letters : while his economy of a slender revenue rendered it sufficient for the erection and support of sumptuous buildings, and the endowment of a famous University.

The last of the ante-Reformation Bishops of Aberdeen, Bishop William Gordon, died on the 6th August 1577. Spottiswood's character of him is short and plain. "This man, brought up in letters at Aberdeen, followed his studies a long time in Paris, and returning thence, was first parson of Clat, and afterwards promoted to this See. Some hopes he gave at first of a virtuous man, but afterwards turned a very epicure, spending all his time in drinking and whoring ; he dilapidated the whole rents by feuing the lands, and converting the victual-duties in money, a great part whereof he wasted upon his base children, and the whores, their mothers ; a man not worthy to be placed in this catalogue."<sup>1</sup>

"In his time," says Father Hay, "the glorious structure of the cathedral, which had been near nine score of years in building, was defaced by a crew of sacrilegious church robbers ; for in 1560 the barons of Mernes, accompanied with some of the townsmen of Aberdeen, having demolished the Monasteries of the Black and Gray Friars, fell to rob the Cathedral, which they spoiled of all its costly ornaments and jewels, and demolished the chan-

<sup>1</sup> It has not been thought necessary to notice a surmise of Father Hay and Bishop Russell, that there may have been two bishops in succession of the name of William Gordon. The change of conduct, even if that were proved, is

but a slender foundation to build upon. It is impossible that any appointment of a bishop should have taken place about 1567, the time fixed upon, without some record of it being preserved.

cell ; they shipped the lead, bells, and other utensils, intending to expose them to sale in Holland ; but all this ill-gotten wealth sunk by the just judgment of God, not far from the Girdleness. The body of the Cathedral was preserved from utter ruin by the Earl of Huntly, and, in 1607, repaired and covered with slate at the charge of the parish, and so continues yet in pretty good order."

The records of an ancient bishopric naturally arrange themselves in two classes, the first comprising charters, titles, rentals, and all documents touching property,—the other consisting of statutes of councils, church ordinances, and matters bearing on the discipline and government of the Church and diocese.

The first section is calculated to be oftenest referred to, and perhaps most practically useful. No one living within the bounds of the diocese can look into it without finding something to interest him—something throwing light on his family, his property, or his parish—showing the ancient state and occupation of his own residence, or of conterminous property. It may require somewhat more reflection to appreciate the body of Church muniments which form the materials of the second section. But, rightly considered, the interest of mere local history is secondary to that of the Christian antiquities of our country. If it be possible to trace the introduction of Christianity in its first simplicity, the weak beginning of the Church when struggling for existence, its progressive acquisition of security, wealth, and power, it cannot be unprofitable to examine dispassionately the causes of its


success, by what means it controlled the minds of men not easily led, and influenced their laws, banished all dissent even in thought, and brought it about that men gave to the Church in the full confidence that they were giving to God.

In that inquiry—in examining the foundations of that mighty power, wielded often for good, sometimes for evil—it may be allowed to lay aside for the time questions of doctrine. We may be permitted to view the ancient Church as an artist with a task proposed ; to examine the materials in her power, and the skill with which she used them. We shall then find much to admire, something perhaps to imitate. We are astonished at her adaptation of herself to all circumstances, and patient bending of all things to her purpose. However politicians dispute, we cannot regard without sympathy her care of the poor, and the ceaseless charity which she inculcated for the benefit of the giver as well as of the receiver. Not less worthy of our attention is her avowed and consistent principle of inspiring piety by an appeal to the imagination and the heart. Subservient to that end was the munificence directed—*ad ampliandum cultum divinum*—*ad decorem domus Dei*—to make more glorious the service and the fabric of the Church, not as a mere place of popular instruction, or a convenient meeting-house for devotion, but regarded by the old Catholic, as by the Jews of old, as the temple and very shrine of a present Deity, where innumerable altars were offering up the ever renewed sacrifice of propitiation. The effect of such means for the object proposed

—to produce strong faith, unhesitating obedience ; the success of the great plan of the ancient Church, and its whole influence on society—are subjects of reflection not to be slighted by the most philosophical, nor rejected by those most opposed to the Roman Catholic doctrines, with the same ends in view. As some part of the materials for such an investigation, these collections of church usages, the relics of a once splendid hierarchy, may be held not unworthy of some study ; and it is not too much to say, that their study, if entered upon without prejudice, would fill an instructive chapter of Scotch history.

## THE MONASTERY.

Next come the monasteries—not those old families of missionaries, the very beginning of Christianity among us—not Iona, nor Deir, nor Mortlich ; not Abernethy, nor *Old Melrose*, nor old pre-episcopal Brechin, nor the Culdees of St. Serf and Monymusk—none of those primeval monasteries, of whom all we know is, that they did their work in bringing the whole land from Paganism to Christianity. Of their manner of life and teaching, and the means of their support, we know little or nothing ; of their discipline and subordination, scarcely enough to found a useless controversy. It is with the monasteries of a later time that we have to do—those foundations of regular religious which mark the brilliant revival of devout feeling that accompanied or just preceded the singular social revolution which took place in Scotland



after the marriage of Malcolm Canmore with the Saxon princess. Along with those later foundations came writing, and recording, and framing of chronicles, and we can to some extent gather from the materials the monks have left us, their own manner of living and thinking.

The following observations regarding Melrose were suggested by a collection of the charters of the Abbey, printed for the Bannatyne Club by the Duke of Buccleuch, at the suggestion of Sir Walter Scott.

The materials thus brought together, forming as they do the finest collection of ancient writs preserved in Scotland, comprising more than a hundred royal charters from David I. down to Robert the Bruce, must be regarded with interest by every intelligent student of Scotch history. The reader who brings to their perusal the temperate curiosity that seeks only for information regarding the history, laws, and arts of our forefathers, may not sympathize with the enthusiasm felt by the zealous antiquary on the first excavation of such a treasure ; but there is much to repay the patient investigation of the severer student, while the more laborious trifter in the curiosities of antiquity cannot fail to find material of infinite speculation in these records of the administration of monkish property from the days of Saint David.

Upon the interesting subject of our ancient laws and forms of legal procedure, a collection of authentic writs of some antiquity is calculated to throw more light than the law compilations of a later date, which, although soon adopted by Scotch lawyers, can only rank as transcripts or modifications of the writings of English jurists.

We find from these sure authorities that so early at least as the reign of Malcolm IV. the Crown was held to be the origin of all real property. Royal confirmations occur so frequently after that period, that we cannot avoid the conclusion that they were considered necessary for the completeness of titles. It would be more difficult to find a reason for the repeated confirmation of crown charters by successive Sovereigns, to the same individual or to bodies corporate. That practice, however, was not peculiar to the early ages illustrated by the Melrose charters, but extended down to a recent period in the conveyancing of Scotland. In the first reigns we find a more complete and intricate structure of feudal tenures, with all their accompanying services and other peculiarities, than might be expected at so early a period. It was not merely that the lord of a great territory portioned it out among his followers and retainers, though that must have been the rude commencement of the system; but already in the reign of William the Lion, we find persons holding lands of their equals, and even of their inferiors in rank, by the feudal tenure, and subject to the feudal services of vassalage.<sup>1</sup> There are numerous instances too, of repeated sub-infeudations of lands, where each person held of his subject superior, up to the last who held immediately of the Crown.<sup>2</sup> We have, in like manner, all the

<sup>1</sup> Thus Walter the High Steward holds of De Vesci.

<sup>2</sup> Thus Helen de Lindsay held of her father, who again held of Pollock, and he of Mauleverer, who grants a confirmation to the real proprietor, and who probably held immediately of the crown. In like manner, Melros held a plough of

land in Maxton of Thomas de Normanvill, who held it under his brother Guy. Guy's immediate superior was his brother Walran, who held of the eldest brother, John de Normanvill; the *redendo* being a pair of gilt spurs payable to the immediate superior, and a *tercel*, *capitali domino feudi*.

nice specifications and distinctions of feudal service that occur in the conveyancing both of England and Scotland of a later period.<sup>1</sup>

The complexity and technical art which mark the law proceedings of so early a period of our history, might be thought to speak a great degree of refinement, if we did not find that the progress of civilisation tends in all countries to simplify the forms of pleading. Many of the legal proceedings recorded by the monks are very curious, and some will be found of important service to the student of the antiquities of our law.<sup>2</sup> It

<sup>1</sup> The Abbey had a grant of land in Clifton "*liberam ab omnibus auxiliis, placitis, interrogatis, geldis, assisis, scutagiis, cornagiis, et ab omni servitio et consuetudine et exactione seculari.*" Alexander II. exempts the possessions of Melrose in Berwick *de omnibus gildis, assisis, auxiliis, collectis, placitis, querelis, murrdris, toloneis, passagiis, pontagiis, murgis, fossagiis, stallagiis, lastagiis, de omni them et tala omni que terreno servitio, exactione seculari et servitio servili.* Robert de Kent grants land in Innerwic, and guarantees it free *de forensi servitio et omni terreno servitio versus dominum Regem et omnes alios dominos nostros*—expressions which are, perhaps, translated in the *Tenendas* clause of the charter—*liberam ab omni servitio et de inware et de utware.* The *Reddendo* is a merk of silver *de recognitione.* The same services in a later charter are styled *servitium extrinsecum et intrinsecum.* Alexander II. grants to the monastery the lands of Brunschet and Dergavel, under burden of performing "*forinsecum servitium in auxiliis tantum quantum pertinet ad quartam partem militis,*" while it is freed "*de exercitu et omni alio forinseco servitio.*" William Grenlaw, for certain lands in Halsington held of De Muscamp, who held under the Earl of Dunbar, is bound to pay "*servitium quantum perti-*

*net ad tricesimam partem servitii unius militis in forinseco servitio domini Regis cum illud acciderit,*" and is to be free "*a multura, varda castelli et a sequela omnium placitorum,*" and from all other service, aid, custom, tax, and claim. In a later charter, the monks are bound to pay "*vicesimam partem servitii unius militis quando commune servitium exigitur per totum regnum Scotie.*" It may be conjectured that the *quinque milites* of the great Steward of Scotland, and the *miles Archibaldi de Douglas*, may have acquired that title from discharging the military service due from their lord's land. The Stewards held their lands and hereditary office—" *faciendo servitium quinque militum.*"—*Regist. de Pas.*, Ap. 1. It is more difficult to account for the style of "*Miles Regis,*" which so frequently occurs in old charters.

The elusory duties in the *Reddendo* designed only to mark dependency, are frequently a pound of pepper or cumin, a quantity of wax, a candle, a pair of spurs, a pair of gloves (*cyrothecas albas*), a falcon, or a nest of hawks.

<sup>2</sup> In 1208 we find a minute record, on papal authority, of a keenly contested law-suit between the Earl of Dunbar and the monks of Melrose, regarding the pasturage of Wedale. The Earl had formerly declined the jurisdiction of the

appears that almost from the earliest period of these records, the Roman or Civil Law was considered the common law of Scotland, while from time to time we find a native or imported customary law gaining ground, which claims a different parentage.<sup>1</sup> The English form of proceeding by brieves of inquisition seems to have been established before the reign of James I.; but in the two previous reigns, there occur records of proceedings that it is difficult to ascribe to any settled form of practice.<sup>2</sup>

That a definite and fixed jurisprudence prevailed over the rest of Scotland in the reign of William, is in some degree established by the frequent allusion to the peculiar customary laws of one province. The province of

papal commissioners, his exception being fenced with three pleas in law—" *vallata triplici ratione, scilicet obtentu persone, quia laicus; respectu rei, quia erat laicum tenementum; juris communis beneficio, eo quod actor sequi debeat forum rei.*" He afterwards objected to the judges on personal grounds, and having three times carried his suit to Rome, it is at last settled in the court of the King, "*in plena curia domini Regis.*"

<sup>1</sup> In the reign of William, it appears to have been still competent to bequeath heritage by testament. Elena de Morevil, the widow of Roland of Galloway, gives certain property to Melrose, in exchange for lands which her brother William de Morevil had bequeathed to the monastery in his last will, "*divisit eis in ultima sui voluntate.*" In the next reign, again, the King charges his sheriffs to prosecute the causes of the monks of Melrose like the sovereign's own causes, "*appellationes et responsiones secundum genus cause facientes, et pugnatorem si forte opus fuerit ex parte nostru eisdem invenientes.*" During the reign of Alexander III., we find the Steward

granting the convent power to hold courts in their Ayrshire domains, with all the privileges of his own court of Prestwick; to take a venue—*risnetum capere*, for trial of causes; and abandoning to them all right to the chattels of the condemned, and of the party slain in duel, where duel has been adjudged in any cause.

<sup>2</sup> For example, on the petition of the Convent, Archibald of Douglas, Lord of Galloway, sitting in judgment "*in pleno itinere*" at Dumfries, demands of the Barons of the country there standing by, whether they had anything to allege against the privileges granted to Melrose in a royal charter there produced: "*Quorum baronum pro majori parte totius patrie audientium una pars dictam libertatem eis concessam approbarit, et reliqua pars circumstantium non negavit;*" upon which the Lord of Galloway declares, "*ex quo vos nichil habetis in contrarium proponendum nec ego quicquid dicere in contrarium aut proponere volo de presentibus. Volo insuper quod mei ministri quicquid de cetero minus juste in premisis facere non presumant.*"



Galloway, of much greater extent than the district now so called, comprehending a part of Dumfriesshire and all the Earldom of Carrick, which extended much farther northward than the modern Bailiary of that name,<sup>1</sup> had but recently been reduced to an imperfect subjection to the crown of Scotland, and was still in a state of comparative barbarism.<sup>2</sup> A series of charters ascertains the genealogy of the great lords of Galloway from son to father up to Fergus, never, however, passing beyond that ancestor.<sup>3</sup> From these, and from the names of places and of witnesses occurring in charters of other persons in that province, it appears that the body of the people, most of the proprietors of the soil, and even the lords of the country, were of Gaelic race and language. The original population must have been more strenuous or more successful in vindicating their rights than the inhabitants of the other districts of Scotland. The Norman settlers seem to have obtained a more insecure footing there than elsewhere, and after two or three generations they disappear, while in the rude patronymic designations of the native inhabitants may be traced the original of families that afterwards rose to power and distinction.<sup>4</sup>

<sup>1</sup> Thus Keresban on the river Doon was in Galloway, and the lands of Largs were in the earldom of Carrick.

<sup>2</sup> Even so late as in 1223, the monks of Vallis Dei (*Vaudey* in Lincolnshire) made over to Melrose the lands of Keresban, the possession of which was useless, and even dangerous to them, "*tum propter defectum disciplinar, tum propter barbaricæ gentis insidias.*"

<sup>3</sup> The names are Fergus, Gillebrid, Duncan, Malcolm, etc. Some of the wit-

nesses are still more incontrovertibly Celtic. The following personages attest one charter: Gillenem Accoueltan, Gilleloueng his brother, Gillecris Mac Makin, Murdac Mac Gillemartin, Gillelsald Mac Gilleandris, Gillemernoch his brother, &c.

<sup>4</sup> The family of De Scalebroc and its descendants illustrate the former remark; the occurrence of M'Kenedy or Kenedy, Senescal of Carrick, with many others, serve to prove the latter.

Of the peculiar laws of Galloway, we have unfortunately only a reference to certain arrangements for facilitating the arrest of criminals, rendered necessary by the disturbed state of the province. Nor does any other source furnish us with much information on this subject. We find in our ancient statutes allusions to the reservation of the Galwegian customary laws ; but nearly all we can gather of their peculiar nature is drawn from a passage in the treatise of *Quoniam attachiamenta*,<sup>1</sup> from which it appears they were considered inexpedient or prejudicial to society, and that trial by jury was not one of the rights of the inhabitants, since it was declared that any Galwegian claiming that privilege should, in the first place, renounce his right to the customary laws of Galloway.

A still more interesting object of inquiry is to collect from such materials as the present collection affords some knowledge of the state of the country and the condition of its population, at a period of which we have so few authentic sources of information. The district in which the Abbey of Melrose is situated, and in which its early possessions chiefly lay, being so near the English border, was, after the accession of Malcolm III., quickly occupied in great measure by Saxon or Norman settlers. The subdivision of property, when these documents first afford light on the subject, was much greater than is consistent

<sup>1</sup> Cap. 73. The uncertain date of this treatise makes it difficult to decide whether the ordinance here quoted preceded the statutes attributed to Robert I., by one of which it is ordained that the men of Galloway "*habeant bonam et fidelem*

*assisam patrie, et quod non teneantur ad purgationem seu acquietanciam faciendam secundum antiquas leges Galvidie.*"  
—*Statuta secunda, Rob. I., cap. 36, apud Skene.*

with the idea commonly entertained of the overgrown power of the leading nobles and the degraded situation of the other classes ; and the minute portions in which gifts to the abbey were frequently bestowed, seem to show the value, and advancing cultivation, of that now fertile valley. The original inhabitants had either removed to districts not yet coveted by the southern colonists, or were reduced to the condition of serfs, then appropriately styled *Nativi*, who were transferred by sale or gift along the soil which they cultivated.<sup>1</sup> Great attention was undoubtedly bestowed on agriculture, with whatever skill or success. We find everywhere strict rules for the protection of growing corn and hay meadows. Wheat was cultivated, and wheaten bread used on holidays. Roads appear to have been frequent,<sup>2</sup> and wheel carriages of different sorts in general use.<sup>3</sup> A right of way through an adjoining territory was purchased at a considerable price, or made the subject of formal contract or donation. Mills driven by water, as well as wind-mills, were used for grinding corn, although it is well known that the rude and laborious process of the hand-mill kept its ground in some districts of Scotland

<sup>1</sup> A singular designation sometimes occurs where a lord grants lands to a person whom he styles "*meus homo*," and "*meus liber homo*."

Some of these details, taken from the records of Melrose, and peculiarly illustrating its domains, have been used for illustrating the state of rural cultivation generally, in the fourth chapter of *Scotland in the Middle Ages*.

<sup>2</sup> They are constantly mentioned as

"*via viridis*," "*alta via*," "*via Regia*," "*via Regalis*."

<sup>3</sup> *Charete, quadrige, plaustra, carecte*. That these terms were not used indiscriminately for all agricultural carriages, is shown by a charter of Horneden, which stipulates that a penalty called *parcagium* should be paid for trespassing, and fixes the rate of a penny for each waggon, and a halfpenny for a two-horsed (or two-wheeled) cart—*pro quolibet plaustrum unum denarium et ei pro biga unum obolum ad parchagium*.

until comparatively a recent period. In the reign of Alexander II., Melrose acquired the right of turning a stream that bounded their lands of Beleside in East Lothian, on account of the frequent injury done by it to the hay meadows and the growing corn of the Abbey. One circumstance serves to mark still more the progress of agriculture. We find that, so early as the reign of Alexander II., the attention of some of the great proprietors had been directed to rearing and improving the breed of horses. Roger Avenel, the lord of Eskdale, had a stud in that valley, and Patrick, Earl of Dunbar, in preparation, as it would appear, for his departure for the Holy Land, in 1247 sold to the Abbey his stud in Lauderdale for the considerable sum of a hundred merks sterling. The monks of May had a grant of land from John fitz Michael (the ancestor, it is said, of the family of Wemyss), with pasture for a certain number of sheep and cows, and for twenty brood mares with their followers.

From the nature of the country, and perhaps from the imperfect state of agriculture in a great part of its territory, the revenues of the Abbey were chiefly derived from the pasturage of cattle and sheep. Of the latter there appears to have been a much greater number than has been hitherto believed;<sup>1</sup> and the minute and careful arrangements for their folds, their

<sup>1</sup> From the Earls of Dunbar the monks had a grant of pasturage for three flocks of wedders, "*arictum*" of 500 each flock, near to Hartishead in Haddington. Elena de Morevil, and her son Roland of Galloway, gave to the Abbey pasturage for 700 ewes with their followers of two years, or as many wedders; for 49 cows

with their followers of two years, a bull, 40 oxen, 8 horses, and 4 swine, with their followers of three years; to be fed along with their own cattle of the territory of Kilbeccokestun (now Kilbucho). In Wedale the Abbey had pasturage for 500 sheep and seven score cattle, and in Primside pasturage for 400 sheep.

attendants, and the separation of their pastures, show how early the attention to this kind of stock commenced in the district, which is now distinguished by the perfection to which it has arrived. The high value set upon pasturage, whether for sheep or cattle, is shown by its frequent clashing with the rights of game and the forest, and by the strict prohibitions against tillage within the bounds of forests and pasture ranges,<sup>1</sup> although this arose in a great measure from anxiety to preserve the solitude and quiet necessary for the encouragement of all game, and especially the red deer. It may be gathered also from the high penalties for allowing cattle or sheep to trespass on neighbouring pastures.

A remarkable custom which received the royal sanction in the reign of Alexander III., appears somewhat at variance with this jealous care of the rights of pasture. That monarch declared it was of use by ancient custom and the common law throughout Scotland, that travellers passing through the country might quarter for one night in any estate (*feudum*), and there pasture their beasts—saving only growing corns and hay.

The use of the word *forest*, in charter language, to express a range having certain legal privileges for the preservation of game, has contributed to the common belief

<sup>1</sup> Thus, in a very early grant by Earl Waldev, of pasturage in Laumermuir, it is expressly provided that moveable folds and lodges for the shepherds shall accompany the flocks of the Abbey, so as to avoid any permanent building or settlement within the forest—"sine manuali opere." In like manner Richard de Morevil the Great Constable, and his son William, grant to the monks a site

in Wedale for a cow-house or sheep-fold—*raccaria seu bercharia*—for one house in which they may light a fire for the brethren and their shepherds, and for a hay-shed, all within the verge of the forest; but on condition that they shall make no other lodges within it, but their shepherds to have wattled cots (*claias viscatas*) for shelter while tending their cattle.

that all Scotland was anciently thickly covered with wood. If it ever were so, it must have been at a time before all record ; and in a country where tradition has been so much based on the fables of historians, the proof of such an assertion must be looked for in the observations of the geologist, which have not hitherto tended to confirm this opinion. At the earliest period illustrated by the Melrose charters, there is sufficient evidence that the southern division of Scotland was not a well wooded country. On the contrary, the right of cutting wood was carefully reserved when pasturage or arable land was granted ; and when that right was conceded for some particular purpose, such as for fuel for a salt work, or for building, the use was limited in express terms.<sup>1</sup> The high grounds of Ayrshire may be an exception, where there seems to have existed an extensive forest ; but elsewhere, wood was a scarce and valuable commodity. Peats formed the common fuel of the country, and a right to a peatary was of great importance. Even at Preston, now so surrounded by coal mines, wood was used as fuel for the salt pans. Coal is not mentioned in the collection of the transactions of Melrose till the reign of Robert II. It was undoubtedly worked

<sup>1</sup> Anselm de Whittun, along with certain lands and a peat moss, gives to the Abbey as much brushwood from his wood of Mollope as one horse could carry to the grange of Hunum between Easter and Christmas. The heavy penalties of transgressing the forest laws had reference chiefly to the preservation of game, but much attention was also bestowed, so far as penal statutes could secure the object, on the preservation of wood, and

the punishment of its destroyers. In the solemn convention between Melrose and Richard de Morevil, while the latter reserves the game of Threewood, and is to have a forester for its protection, the Abbey is allowed to have its forester for preserving the wood and pasture ; and it is carefully stipulated, that for injury done to them, the Abbey shall have damages—" *emendationem scilicet treegild*," and De Morevil the customary forfeit.

at an early period in Scotland, but probably only in the easiest levels and in small quantities, from the imperfection of machinery and engineering ; and its use must have been confined to a narrow circle, from the difficulty of carriage.

The preservation of game, and the whole economy of the forest, were necessarily of prominent importance in an age when the time of the free-born was divided between war and the chase. The lands of Melrose, both on the eastern Border and in Ayrshire, were bounded on all sides by the territories of great lords, jealous of all encroachment on their rights of forest, and sometimes, it would seem, attempting to counteract the former munificence of themselves or their ancestors, which had lavished on the favourite religious house rights of game as well as all other property. Hence originated many of the disputes and subsequent reconciliations recorded in the register of Melrose. At first, perhaps, only the occasional trespassing of the cattle and sheep of the Abbey interfered with the pasture or the necessary quiet of the forest game ; but in process of time the monks, escaping from the strictness of the Cistercian rule, asserted and exercised in their turn rights of game and forest, which they defended against encroachment with all the machinery which the law then put in their power.

When the Abbey acquired that wide territory in Eskdale which was the gift of King David I. to the family of Avenel, the game was carefully reserved by the successive granters in such express terms, that even the names of the valued animals are specified. The lords of

Avenel reserved hart and hind, boar and roe, the aeries of falcons and tercelles, and their right to the penalties of trespasses within the forest, and the amercements of those convicted of theft. The monks were expressly excluded from hunting with hounds or nets, from setting traps, except only for wolves, and from taking the aeries of hawks. Even the trees in which the hawks usually built were to be held sacred, and those in which they had built one year were on no account to be felled *donec in anno proximo perpendatur si in illis arboribus velint aeriare vel non*.<sup>1</sup>

The early grants to Melrose of their great territories in Ayrshire by the successive Stewards, expressed the same reservation in fewer terms: "Except only that neither the monks nor lay brethren nor any by their authority shall hunt nor take hawks in that forest—for that suiteth not their order, and we think it not expedient for them;"—" *salva eadem foresta mea tantum in bestiis et avibus*." But notwithstanding these reservations, grounded on the rigid rule of the Cistercians, we find the monks soon after in full possession of the rights of game and the forest, in the territory of Machlyn, which their munificent benefactors had at first withheld; and a few generations later, the family of Graham, who inherited the possessions of Avenel, gave up in like manner to Melrose the whole privileges of hunting, fishing, and hawking in Eskdale, which had been originally so

<sup>1</sup> Several of the terms of *venerie* in this interesting series of charters are of doubtful meaning. Hunting "*cum moctis*" undoubtedly means, with a

*meute* or cry of hounds, but it is less clear that "*cum cordis*" signifies "with nets." It may indeed stand for any manner of snaring game.



jealously guarded. Even the cognizance of offences committed within the forest bounds was devolved on the monks ; and it was only provided that malefactors condemned to death in the court of the Abbey should be executed at the place of doom,<sup>1</sup> and by the bailie, of the temporal lords of the manor.

The ancient names and boundaries of lands are chiefly interesting to those locally connected with the district, but many of the meres so minutely described are of general curiosity, and if still to be traced in the names or in the features of the country, may throw light on the early language and other interesting antiquities, as well as on the ancient condition and extent of property. So early as the reign of William the Lion, boundaries are found marked by such objects as "the old elm,"<sup>2</sup> "the oak on which a cross was made,"<sup>3</sup> "the well beside the white thorn,"<sup>4</sup> "the cross beside the green ditch,"<sup>5</sup> "the ozier bed,"<sup>6</sup> "the crosses and trenches made on the hill-top by King David."<sup>7</sup> It is not to be expected that many of these marks and memorials should have escaped the ravages of time and the plough. Some however may still remain even of this more perishable description ; and fortunately a more enduring sort of boundary-marks will serve in many districts to illustrate the state of property

<sup>1</sup> "*Ad furcas de Wadstirker.*" The Grahams were of the English faction, and the first recorded concession of these privileges is given by the king in their default. To confirm this may have been afterwards one of the means of making their peace with Robert.

<sup>2</sup> *Ad occidentalem partem veteris ulmi.*

<sup>3</sup> *Ad quercum in qua crux facta est.*

<sup>4</sup> *Ad fontem juxta albam spinam.*

<sup>5</sup> *Ad crucem juxta viride fossatum.*

<sup>6</sup> *Juncaria.*

<sup>7</sup> *Cruces et fossas quæ factæ sunt in medio monte, usque ad summitatem ejusdem montis in cujus summitate fecit Rex David fossas fieri.*

as it existed six centuries ago. The rivers and lakes forming the natural divisions of the country, can be recognised without difficulty in the slight variation from their modern names. Fountains and springs, the summits of the hills, and the water-shed of the moorlands,<sup>1</sup> "*sicut descensus aquarum dividunt*" are in most cases not to be mistaken, although the present names of the hills on the Southern Border are mostly of unaccountably modern origin, while their older appellations in the charters have, it is believed, disappeared.<sup>2</sup> Another class of meres occurring in these charters cannot escape notice. They point to monuments of antiquity far beyond the records or the foundation of the Abbey, but no expression of the parties shows the slightest knowledge or interest concerning their origin. A charter of Elena de Moreuil, in the reign of William, gives for one of its bounding marks "the ancient castle,"<sup>3</sup> probably one of those mountain forts of unknown history, antiquity, and use, which are thickly scattered over the pastoral hills of the Borders. Anselm of Molle gives land in that territory, bounded at one point "*per quosdam magnos lapides veteris edificii quod est super unum parvum cundos.*" The great Roman ways which intersect the district are frequent boundaries in the more ancient charters; at least these seem to be the roads described under the various names of "Derestrete," "Herdstrete," "*Magna strata*," "the way towards Lauder by the causeways called Malcolmsrode," "*Cal-*

<sup>1</sup> "*Per medium cundos montium.*"  
 "*Per condosum.*" "*Ex transverso con-*  
*doso de Rederburne.*"

<sup>2</sup> As "*Mons qui dicitur Unhende.*"  
<sup>3</sup> *Vetus castellarium.*

*ceia*” or “*Calceia*,” or the great causeway. It appears that the roads mentioned by the terms “*viridis via*,” “*via alta*,” “*via magna*,” “*via regia*,” or “*regalis*” are always to be distinguished from them.

The practice which we find to have prevailed in the earliest periods of this record, of setting up great stones, and sometimes stone crosses, to mark the boundaries of adjoining territories, may account for some of those monuments which have long exercised the ingenuity of antiquaries.<sup>1</sup> In other instances, such monuments of past ages as were conveniently situated, were adopted as boundary marks, instead of constructing new marks.<sup>2</sup> These are frequently designated by the name which is still the popular term in Scotland for such monuments of unknown or conjectural use—“the standing stones.”

The occurrence of early examples of the spoken language, which must interest the philologist in all countries, is more than usually interesting in Scotland, whose original inhabitants and successive invaders have afforded such abundant matter of controversy. It has already been noticed, that there are in the Melrose charters indications of the language and people of Galloway. With the exception of that province, there is no reason to believe that a Celtic language was in use in any district with which the Abbey of Melrose was connected during

<sup>1</sup> Thus, on occasion of a grant of lands in Maxton by Robert de Berkeley, the monks set up a great stone as one of their boundaries,—“*magnam petram in testimonium crexerunt.*” “*Per petras que posite sunt ad divisas.*” “*Lapides grandes quos tunc perambulando posui.*” “*Per lapides qui positi sunt ad divisas*

*inter nos et ipsos monachos usque ad magnum lapidem subtus quercum.*”

<sup>2</sup> Thus one of the boundaries described in the royal charter fixing the marches between the Constable and Melrose in the forest of Wedale, is “*de pot usque ad standande stan.*”

the period embraced by this Chartulary. It will be found that the great benefactors of the Abbey, with the exception of the Lords of Galloway, and the great Earls of Dunbar, were of Norman descent and name. Several persons occur of Saxon families, and others whom we may conjecture to be of Danish or Norse origin ; but, with the exceptions above stated, no charters are granted by persons whom there is any reason to believe of Celtic race. Most of the Norman settlers had either previously fixed seignorial surnames,<sup>1</sup> or soon assumed local designations from the territories acquired by them in Scotland.<sup>2</sup> The Saxon and Norse colonists, being perhaps usually of inferior rank and power, remained longer without that which soon became a badge of gentility. From them were named most of the places which bear the Saxon termination of *town*, and these, by a curious alternation, in a short time afforded surnames to their proprietors,<sup>3</sup> when the fashion of territorial surnames became almost universal.

The names of places occurring in the charters of the Abbey, excepting those of Galloway, are for the most part purely Saxon. It may be, that the great features of the country, its mountains, valleys, and rivers, bore Celtic

<sup>1</sup> As De Vesci, De Morevil, De Valoniis, De Brus, etc.

<sup>2</sup> As de Wittun, de Ridale, de Molle, etc.

<sup>3</sup> Thus, Orm gave name to Ormistun, Leving, and Doding to Levingston and Duddingstone ; Elfin, Edulf, and Edmund to Elphingston, Edilston, and Edmonston ; and most of these in turn were assumed as the territorial surnames of well-known families. A personage

who figures in the early charters, Maccus, chose to call his *town* by its Norman term, and "Maccus-vil" (which is merely another shape of Maccustun or Maxton) in time passed into the familiar surname of Maxwell. The name of this family has of late undergone the same combination which was applied some centuries ago to its founder's own name, and by this triple process we arrive at the name of Maxwelltown.

names. Very few of these occur. The names of estates, however, and their boundaries, coeval with the dawn of civilisation, wherever indicating any meaning, were all Saxon ;<sup>1</sup> and the few words of early vernacular language, thinly scattered over the older documents of this chartulary, all show the same origin,<sup>2</sup> and leave no doubt that a Teutonic dialect was the universal spoken language of Lothian, Merse, and Teviotdale, from the time of David I.

The Court French afterwards imported by the English Edwards, and which continued so long to be the

<sup>1</sup> Thus Hartshead, Hellesden, Mossy-burnrig, Brownrig. Thus also all names ending in *town*. So Milkeside, Threppwood, Bireburn, Cuckowburn, Brownknoll, Elwaldscalsloning, Holemedde, Ravensfen, Herehowden, Fuleford, Kingstrete, and many others.

<sup>2</sup> The small number of vernacular common words preserved in the more ancient charters, are sometimes disguised by a Latin termination. Some of the Latin words occurring in them are peculiar to Scotland, and not to be found in the dictionaries of the Latin of the middle ages. Of both these classes, specimens are collected below, along with examples of the spoken language occurring previous to the middle of the fourteenth century.

*Aeriare*, to build aeries as hawks.

*Bog*.

*Brueria*, a thicket of broom.

*Burna*, a burn or brook.

*Calceia-æ*, a causeway.

*Claia viscata*, a wattled hut.

*Cnoll*, a knoll.

*Cobella*, a coble, or flat fishing boat.

*Corda*, an instrument of hunting.

*Cundos*, *Cundosum*, the ridge of a hill.

*Falda*, a fold.

*Forisveix*, *Forweix*, a penalty for trespassing ; perhaps for turning out of a road.

*Gile*, a Gill, still used in the north of England for the cleft of a hill or the channel of a brook.

*Halghes*, *Halkahs*, *Halechs*, *Hulues*, *Hauhves*, haughs or meadows.

*Hogaster*, perhaps a hog or young sheep.

*Hogus*, *Hogh*, English, a hill or mount.

*Inwere*, perhaps war within the country.

*Lander*, arable lands ?

*Lecche*, a ditch. *Ful-leche*, a foul ditch ?

*Logie*, lodges.

*Mereburne*, a bounding rivulet.

*Moeta*, a meute or cry of hounds.

*Mussa*, a moss or peat bog.

*Nysus sororum*, French *Niez*, an aerie of young hawks.

*Pete*, *Petaria*, peats, a peatary or peat moss.

*Scalinga*, a shealing or summer hut used by hill shepherds.

*Sicus*, a syke or ditch.

*Stagnum*, a yare or wear in a river. (In this sense it had occurred to Du Cange, who seems unwilling to admit it as a genuine term.)

*Staincros*, crux lapidea.

*Standande Stane*, a stone placed upright.

*Trigild*, the penalty for destroying trees.

*Turbæ*, *Turbaria*, turfs, a place from which turf for fuel is cut.

*Utwere*, foreign war !

*Warnalium* ?

law language of England, never gained much ground in Scotland; and although doubtless used exclusively by the English settlers of that disturbed period, it seems not to have long survived their departure, when Latin again became the universal language of business, as it continued to be down to the end of the fourteenth century. About that period, the vernacular Saxon, the spoken language of the Lowlands of Scotland, began to be used in deeds, and instances of it occur in the Abbey register of the reign of Robert II. One of these is dated in 1389, and although much of its interest is destroyed by the closeness of its translation from a Latin style, yet it is of some value as a genuine specimen of early Scotch.<sup>1</sup>

The transactions serving to show the relative value of money and other commodities in Scotland, and the interest taken for money, at an early period, are unfortunately very rare.

In 1236, the Earl of Carrick sells an annual rent from land of three merks, for the sum of 40 merks, or thirteen years' purchase.

In the same century and reign, the Abbey purchases up a rent charge of thirty shillings, by a payment of 30 merks and 40 pence, or a little more than thirteen years' purchase.

We find a charter of King Alexander II., confirming the sale of a half plough of land in Edenham, with two *burgagia* (probably the portions of land necessary to qualify burgesses) in Berwick, at the price of £33, 6s. 8d. sterling.

<sup>1</sup> See Appendix.

Peter de Haga of Bemersyd had covenanted to pay ten salmon yearly to the Abbey, as the penalty of certain transgressions committed against it. In a curious deed, Haig sets forth that the convent, taking pity on him, and considering such a payment ruinous, has consented to receive, in lieu of it, a half stone of wax yearly for the chapel of Auld Melros, or thirty pence in case of failure.

In the middle of the thirteenth century, Richard Burnard, lord of Faringdun, sold his East Meadow of Faringdun of eight acres for thirty-five merks. In 1342, Gilbert de Maxwell disponed to Melrose his half of the Barony of Wilton, with the patronage of the church, redeemable by him or the heirs of his body, for £40 sterling. The Abbey was to have the first offer of the lands, if Maxwell or his heirs chose to sell them outright. In consequence of a grant by Robert I. of £2000, out of the casualties of Roxburghshire to Melrose for rebuilding the church of the Abbey, Sir Archibald M'Dowell, in 1398, grants a bond for the sum of "four skore and ten ponde of gude mone and lele of Scotlande in silver or in golde, because of his releife of his place of Malkarstoun," to be paid within two years, or within three years, "in cas—as God forbede—comoun were with raisinge of baneris be betwix the kyngrikis of Scotlande and Inglande." A right of way through the lands of Mospennoc, now Mosfennan in Tweeddale, cost the Abbey the sum of twenty shillings sterling in the reign of Alexander II. An oxgang of arable land and an acre of meadow in Ilvestun, now Ellieston, in Rox-

burghshire, were in the same reign acquired for four merks sterling.<sup>1</sup>

The occurrence of individuals, either as parties or witnesses in the mass of charters here collected, will, it is feared, be found to illustrate but few of the existing families of the district. The great families who were the earliest benefactors of the Abbey, the Lords of Galloway, Carrick, and March, the De Morevils and the Avenels, have been long extinct, and even those who came in their room, the Fitz Ranulphs, the De Sulises, the Grahams, and the Douglasses have left but a romantic tradition of the mighty power which they wielded on the Borders. The proverbial instability of Scotch affairs for three centuries preceding the union of the Crowns, was generally unfavourable to the continued descent of hereditary possessions; but on the Borders, wars, feuds, and forfeitures followed each other so fast, that no families proved sufficiently vigorous to take root and grow to grandeur.

The alliances, descents, and transactions of many of those extinct families, and still more those of the illustrious house of Stewart, are, however, essential to the

<sup>1</sup> Though here and elsewhere the term *sterling* is used, it must not be understood in the modern sense. It occurs in Scotch writs of the highest antiquity, *marca, libra, solidi* and *denarii Sterlingorum* or *Esterlingorum bonorum et legalium*, and was the most common description of money mentioned in old covenants. The term, which originally had reference to the eastern country of the early English moneyers, was afterwards applied to all money of a certain weight and fineness wherever coined.

This was the *denarius*, the well-known penny of silver, still so common in the cabinet of the collector, and which was for several centuries the common currency of the North of Europe. When a covenant therefore expressed a payment in good *Sterlings*, it adopted a standard somewhat less fluctuating than the bare expressing of the sum, which was liable to be affected by the arbitrary and often unjust alteration of the value of the currency by the government.



history of a country where they played so important a part ; and some of the existing families of Scotland can still boast a connexion with even the most ancient of those illustrious and historical names.<sup>1</sup>

The numerous seals preserved are not only interesting to the herald, but often furnish important information of the owner's real style and title, when the charter happens to set forth only his familiar or patronymic appellation,<sup>2</sup> and enable us to distinguish between several persons of the same patronymic name. It is scarcely necessary to notice, that they at the same time serve to mark the state of the arts of the country, and are in Scotland almost our only guides in tracing the arms and dress of a remote period.

The use of seals is almost coeval in this country with the use of writing. Only two or three genuine ancient writs are known, which exhibit a different mode of authentication,<sup>3</sup> and we have little reason to believe, that there were any writings connected with land in Scotland, of an earlier date than some of those which are still extant.

Before the universal adoption of arms, a star, a flower, a wheel, or such other common device, rudely graved on the middle of the seal, served to give room round the edge for the owner's name. In some instances,

<sup>1</sup> Thus Home, Dundas, and Corbet, with the old Earls of Dunbar, M'Dowal, with the Lords of Galloway, etc.

<sup>2</sup> In the charter granted by the five *milites* of the Steward, two of these, styled William and Richard de *Hawker-  
dore*, are proved by their seals to have already adopted the analogous but fixed surname of *Falconar* ; and a third, named in the charter Nicholaus fitz Roland, is

more formally styled in the legend of his seal Nicolaus de Merns. In other instances, the more formal designation appears in the charter, as where the granter, there styled Robertus de Staintun, is found from his seal to have been the son of Foubert, and one of the family of Perthec.

<sup>3</sup> Among the Coldingham charters at Durham.

seals bear what seems to have been a badge or cognizance of an individual, a family, or a district. Family and personal badges were not unfrequently assumed in allusion to the names of those who bore them,<sup>1</sup> but whether adopted on this or other grounds, they either became part of the heraldic blazon, or continued to ornament the arms after the introduction of a more systematic heraldry; and in many cases suggested the crest and supporters, when these long afterwards came into fashion. The introduction of heraldry was in all countries quickly followed by the adoption of shields of arms, as the appropriate distinction of seals. This cannot be said to have commenced in Scotland earlier than the reign of William the Lion. Even during that reign the practice was by no means general. William himself, and some persons of great distinction, both Saxon and Norman, though evidently following the knightly customs of the age, had not yet adopted fixed family arms.<sup>2</sup> The introduction and perfecting of that simple and pure heraldry which has hitherto distinguished Scotland can be traced with tolerable accuracy. It will occur, even on a slight examination, that several of the most ancient seals are of a design and workmanship which cannot be ascribed to a rude age. These are undoubtedly antique intaglios on gems, which were adopted as an ornament

<sup>1</sup> One of the name of Harang or Herring had three fishes. Several of the Corbets bore a raven or *corbeau*. The Burnards had a *burnet* leaf. The Muscamps, a *field* covered with *flies*. The De Vescis, *vesce*, vetches, &c.

<sup>2</sup> Thus the first Walter fitz Alan, Steward of Scotland, Philip de Valoines, Great

Chamberlain, the Constables de Morevil, and many others, while they displayed on their seals the figure of a mounted and armed knight, gave no charge on the shield, nor coat armour on the housing. The first appearance of the Royal Arms of Scotland is on the seal of Alexander II.

for the centre of the seal before heraldic bearings were introduced ; and after the introduction of a shield with a charge as the mark of the principal seal, were frequently used as a signet and counterseal.<sup>1</sup>

The Teviotdale abbeys were the great land-holders of the valley. The abbots of Melrose, Dryburgh, Jedburgh, and Kelso, each administered greater estates than the greatest lay lords. The property of these religious houses lay much intermixed, and the transactions between them were so numerous that their records throw light on the whole management and occupation of land at a time which is generally thought to be beyond the reach of domestic history. If patiently explored they will furnish in abundance that sort of information which we find in English county histories, and will go far to supply the local antiquities which lend such a charming interest to every county and almost every parish of England—and which are hitherto unknown and unstudied in Scotland.

Let me mention a custom that seems worthy of imitation even in our enlightened times. Mixed property and frequently clashing interests furnished the occasion of numerous disputes between the four abbeys, nor were the other elements of war wanting. The monks had leisure in abundance to brood over their wrongs, and they had means to defray the expense of legal remedies. They had as much as most men, the high estimation of their own property and its rights—the jealousy of encroachment, the minute attention to marches, even the

<sup>1</sup> These observations are made intelligible by plates of seals appended to the collection of the charters of Melrose,

which give the earliest authentic Scotch heraldry.

game passion—which have always distinguished the lords of the soil. But they had not the rashness of the inexperienced heir just succeeding to his inheritance. On the contrary, they had accumulated the wisdom of many generations, and all experience warned them of the mischiefs of litigation that must end in Rome, if it ever came to end. The teaching was not lost upon those monks. They actually forbore the excitement of law-suits, and established a rule that any difference occurring between any two of the monasteries should be settled by the arbitration of the other two.

But, although it is as the great landowner that we now regard Melrose as of so much importance to the statistics and the history of its district, there was another relation in which it perhaps affected the happiness of the people as much, and which was the source of a large part of its revenue. Like other monasteries, the Abbey of Melrose soon acquired property in parochial churches with their lands and tithes, which the lay Lords who could not retain them in their own hands, granted to the Monks, sometimes simply *in proprios usus*, and sometimes *ad susceptionem pauperum et peregrinorum ad domum de Melros venientium*; and among these charters are to be found many curious particulars illustrating the twofold capacity of the Monks as landowners and as rectors, and throwing light upon the circumstances of the secular as well as of the regular clergy. As landowners, the Monks were always desirous of evading the delivery of tithes in kind, which was peculiarly odious to a body of ecclesiastics capable of per-

forming divine offices, and fortified with various papal immunities. In one instance we find them yielding only to superior force ; and in other parishes in which they had large estates, they were at length successful in establishing, under the sanction of the bishop, the king, and the Pope, a fixed composition, instead of a demand for tithes varying according to the crop, the value of the currency, and perhaps the temper and disposition of the Rector. When they were about to demise to tenants the lands of Kyle given to them by the Steward, and thereby to give up their immunity from the payment of tithe, they had the lands erected into a distinct parish of Machline, of which the rectory vested in themselves ; cautiously providing, that if at any future time they should think fit to take the lands into their own hands, they should be freed from the burden of maintaining the church and pensioning the vicar.


The amount of the vicar's pension seems to have depended on circumstances which we cannot now perhaps ascertain. It appears to have been paid unwillingly, and in some cases was, with the permission of the bishop, entirely withheld. But if the vicars of the richly-endowed Regulars were only scantily and grudgingly maintained by their wealthy patrons, it is evident that from the earliest times the secular rectors were often men of wealth and family. Some of them were the younger sons of great houses,<sup>1</sup> and we find in more than one instance, clergymen possessed of considerable landed property ; and one instance occurs in the early part of

<sup>1</sup> As several of the De Normanvils in the reign of Alexander II.

our records, of the parson of a parish transmitting his estate to his daughter, as if of a legitimate marriage.

Without underrating the effects of the reformation of religion, it may be safely said, that no revolution in politics or opinions can have produced such a change in the structure of society as the emancipation of the clergy from celibacy, and the sudden destruction of the monastic societies. It is now difficult, perhaps impossible, to separate in our minds the overthrow of these institutions from the change of creed and opinion that incidentally, not necessarily, produced it ; and it is even yet rare to find the freedom from passion and prejudice necessary for forming a correct estimate of the good and evil arising from that part of the great change of the Reformation.

The Friars were the chief objects of serious attack and lighter satire at the commencement of the Reformation. They have left fewer monuments by which we may judge of the justice of the odium ; but as regards the Monks, we have abundant information from the records and relics they have left behind them. We may not be disposed to apply to Melrose the exaggerated eulogiums bestowed by writers of their own order ; but on a fair estimate of the materials now collected, we shall find the monks, freed as they were from domestic ties, always zealous for their order, and for the welfare of their territories and tenants as conducing to its prosperity ; encouraging agriculture and every improvement of the soil ; leading the way in an adventurous foreign trade, and in all arts and manufactures ; cultivating the



learning of the time,<sup>1</sup> and latterly enjoying and teaching to others the enjoyment of the luxuries of civilized life, while they exercised extensive hospitality and charity, and preserved a decorum which is akin to virtue. Posterity owes them a debt, were it but for bequeathing us those remains of their edifices which are only more interesting from their decay, and for their simple and faithful chronicles. When we consider the extent of the possessions of a house like Melrose, the affluence, and the amount of power and influence it brought to bear on such objects as these, during ages of lawlessness and rapine; recollecting too the peculiar interest of its peaceful and perhaps indolent inhabitants in maintaining the quiet of the country and the security of property, we cannot doubt that their administration of their great territory and revenue, notwithstanding all abuses incident to the system, was more for the happiness of the people than if the possessions of the Abbey had fallen at an early period into the hands of some great temporal proprietor.

It only remains to point out one or two particulars

<sup>1</sup> The Cistercians were peculiarly addicted to agriculture. It was even enjoined by the rule of the Order. Their great founder also attempted to discourage pompous building, and the expensive windows, and church ornaments of the precious metals and jewels, which were the favourite embellishments of the other Orders. The refinement of classical learning was also discouraged among them, as well as the practice of the beautiful art of illuminating manuscripts. How much these distinctive

marks of humility were disregarded in later times, the sumptuous piles yet remaining of Melrose and Sweet-heart sufficiently testify. It is to be feared the followers of St. Bernard were more dutiful in their neglect of classical learning, although among the interesting ordinances prescribed for the dependent house of Holmcultram, the Abbot parades what must have been a trite conventional proverb—“*claustrum sine literatura rivi hominis est sepultura.*”

where the records of Melrose throw light upon the public history of the country.

Eustace de Vesci confirms to the Abbey all the lands in his fee of Wittun, which it held on the year after Alexander Prince of Scotland rendered homage to King John of England, on the morrow of the invention of the Holy Cross (4th May). This homage was not known to our historians. It may be conjectured to have taken place on the occasion of the Prince receiving knighthood at the hands of John in 1212 ; but if this be the case, the date generally assigned to that event must be erroneous.<sup>1</sup>

There are few more interesting state papers than the letter of Robert the Bruce addressed to his son and his successors. Not contented with the proofs of his piety and regard for Melrose which he had already given in the munificent grants for the restoration of the building, ruined by continual wars, and for the personal comfort of the monks, the dying monarch bequeaths to his son the care and protection of that favoured house where he destined his heart to be buried. It is remarkable that this document bears date<sup>2</sup> within a month of the king's death, and it follows that his request to Douglas to convey his heart to the Holy Land was made still nearer his end.

We look now with scarcely less interest to a notice which occurs among these charters, of the first erection of

<sup>1</sup> The chronicle of Melrose gives 8 *idus Martii* as the date of Alexander's knighthood, but destroys its authority by adding *ad letare Jerusalem*, which Sunday

happened on the 4th, not the 8th March of that year.

<sup>2</sup> 11th May 1329.



the city of Glasgow. The charter of Bishop Jocelin, as lord superior, confirming to Melrose the property of a toft *quod Ranulfus de Hadintun edificavit in prima edificatione burghi*, indicates very clearly the erection of the episcopal burgh, in virtue of a charter granted by King William the Lion to Bishop Jocelin himself.<sup>1</sup> It is well known that Glasgow, straitened on one hand by the more important royal burgh of Rutherglen, and on the other side by Dumbarton and the Clyde burghs claiming a monopoly of the river trade, for a long time derived its only importance from the Bishop's see. Somewhat more than a century afterwards, we find the "*communitas civitatis Glasguensis*" exercising the office of a court of inquest for the service of heirs, and authenticating its writ with the seal of the community, which would seem to mark a certain degree of independent power. It was not however for more than four centuries and a half<sup>2</sup> after the first charter and erection of the episcopal burgh, that the city of Glasgow obtained complete emancipation. The rapidity of its subsequent rise in wealth and splendour, and in the extent of trade and manufactures, is probably without any parallel.

The incidental mention of the condition of the Abbey itself at different times, strongly illustrates the history of the district and the age. At one time powerful and prosperous, accumulating property, procuring privileges, commanding the support of the most powerful, and proudly contending against the slightest encroachment ;

<sup>1</sup> *Ut burgum habeant (episcopi) apud Glasgu cum foro die Jovis, &c.—Chartul.* of Glasgow. The time is between A. D. 1175-99. <sup>2</sup> 1636.

at another, impoverished and ruined by continual wars, obliged to seek protection from the foreign invader ; in either situation it reflects back faithfully the political condition of the country.

## SCONE.

THE monastery of Scone, a foundation of Culdees of unknown antiquity, was re-formed by King Alexander I., who, with his queen Sibilla, wishing to adorn the house of God and to exalt His habitation, established in it a colony of canons regular of the Order of St. Augustine, brought from the church of St. Oswald at Nastlay near Pontefract in Yorkshire. The church, previously dedicated to the Trinity, was placed under the patronage of the Virgin, St. Michael, St. John, St. Lawrence, and St. Augustine. The era of the new constitution was the year 1114 or 1115. At first the Superiors of Scone, as well as of the mother house of St. Oswald, appear to have been priors, though the new foundation was, from the beginning, declared independent of the English house.

Scone has a mysterious importance in the mythical period of Scotch history. Whether the fatal stone, the *Kaiser-stuhl* of Scotland, was brought thither by Kenneth MacAlpin or not, it was certainly placed there at a very remote period, and before the light of charter record or authentic history. Malcolm MacKenneth, that "most victorious king over all the nations of England, Wales, Ireland, and Norway," when he distributed the territory

of Scotland among his feudal vassals, reserved only "the moot-hill of Scone"—*montem placiti in villa de Scona*.<sup>1</sup>

At Scone, according to Fordun and Wyntown, and Shakspeare, his namesake Malcolm Canmore was solemnly crowned after the defeat and death of Macbeth.

His son, Alexander I., had a peculiar connexion with the district :

" In Inwergowry a sesowne  
Wyth an honest curt he bade  
For thare a maner-plas he hade,  
And all the land lyand by  
Wes his demayne than halyly."

After a successful expedition into the North,

" Syne he sped him wyth gret hy  
Hame agayne til Inwergowry  
And in devotyowne movyd, swne  
The Abbay he fowndyd than of Sewne.  
Fra Saynt Oswaldis of Ingland  
Chanownys he browcht to be serwand  
God and Saynt Mychael, regulare  
In-til Saynt Awstynys ordyr thare." <sup>2</sup>

Malcolm IV., in a remarkable charter of the 11th year of his reign, granting aid for the restoration of the Abbey, recently destroyed by fire, states it to be situate in the chief seat of government—*in principali sede regni nostri*. Supposing the charter quite genuine, the precise meaning of that expression is very doubtful. Abernethy and Forteviot might be styled the seats of the ancient Pictish monarchs and their court. In later times Perth was a frequent residence of the sovereign ; and some of the earliest parliaments on record were held at Scone itself. But it is difficult to understand how Scone could be reckoned the principal seat of government, except, perhaps, from some traditional and half fabulous story of

<sup>1</sup> *Leges Malcolmi M'Kenneth*, as in several of the old mss.

<sup>2</sup> Wyntown.

the Moot Hill, joined to the real evidence of the existence of the fatal chair of coronation.

At Scone was crowned Alexander II., and here, at the coronation of his son, the last of that noble dynasty, while the prince was yet seated on the inaugural throne, bearing his crown and sceptre, and the nobles of the land at his feet, stood forth an aged Highlander, dressed after his country guise, and in his native speech, with bended knee, addressed the new-crowned monarch, and hailed him as Alexander, MacAlexander, MacWilliam, MacHenry, MacDavid, MacMalcolm, tracing his lineage up to Fergus, the first king of the Scots in Britain.<sup>1</sup>

Here, in 1292, the unhappy Balliol assumed the crown.

And here, in 1306, Robert Bruce, a fugitive, and excommunicated, without means or friends in Scotland, raising his arm against the might of Edward and of England, was crowned King of Scots.<sup>2</sup>

The grant by Alexander I., confirmed by Malcolm IV., of an exclusive jurisdiction, and a court, with trial by duel and ordeal, is unusually minute. Alexander's charter gives "to the church of the Holy Trinity of Scone and to the Prior and the brethren serving God there, their own Court, to wit in duel, in iron, in water, and in all other liberties pertaining to a Court;" and declared that they should not be obliged to answer any one out of their own court. Malcolm's confirmation is given below.<sup>3</sup>

<sup>1</sup> Fordun, x. 2.

<sup>2</sup> Robert granted a ratification of the Abbey's possessions and privileges, *pro eo quod reges regni ibidem dignitates suas recipiunt et honores.*

<sup>3</sup> *Malcolmus Rex Scottorum episcopis abbatibus prioribus comitibus baronibus iusticiis vicecomitibus prepositis ministris cunctis aliis probis hominibus totius terre sue Francie et Anglie Scottis et Galwoelensibus clericis et laicis salutem. Sciatis me*

The trial by combat and probably the ordeals of hot iron and water were held in the island in Tay below the Abbey.

An exemption of the latter king furnishes a very early occurrence of the exclusive privileges of burghs in Scotland. The Abbey is allowed to have in their service three craftsmen, a smith, a leather dresser, and a shoemaker, who are to have the same freedom within burgh and without, as the king's burgesses of Perth.

A grant of a mark of silver; from Harold of the Orkneys, is the first notice of the connexion which Scone had with the northern parts of Scotland. The next is a sort of privilege or pass granted by King Alexander II., for a ship of the Abbot, evidently on a northern adventure, and addressed to the king's officers of Moray and Caithness. In 1332, we find the convent proprietors of the church of Kildonane and the lands of Borubol, apparently in Sutherland.

Incidental notices occur of the great inundation which destroyed the city of Perth, and nearly proved fatal to the royal family in 1210; and the local antiquary will find evidence of the town of Dunkeld being first granted to the Bishop by Alexander II.

A curious notice concerning the *nativi* or serfs, which might otherwise be unintelligible, receives illustration from several entries in the Register of Dunfermline, where

*concessisse et huc mea carta confirmasse  
Deo et ecclesie Sancte Trinitatis de Scon  
et abbati et canonicis ibidem Deo servi-  
entibus curiam suam habendam in duello in  
ferro in aqua cum omnibus libertatibus ad  
curiam religiosorum iuste pertinentibus*

*cum libertate nulli respondendi extra  
curiam suam propriam. Nullus itaque  
fidelium meorum hanc eorum libertatem  
presumat cassare super forisfactum meum  
Testibus Engelram cancellario Waltero  
filio Alani dapifero. Apud Striueline.*

the convent scribe has been careful to translate the vernacular terms.<sup>1</sup>

It would appear, from a grant of Malcolm iv., that the Earldom of Gowry was then of the king's proper inheritance. The family of Ruthven, which for a short time enjoyed it after the dissolution of religious houses, proves its early pedigree mainly from the chartulary of Scone.<sup>2</sup> Their later history comprises, in two generations of Earls, more romance and mystery than have fallen to the lot of any other name in the Scotch peerage. On the forfeiture of John Earl of Gowry, David, first Viscount of Stormont, obtained a grant of the Abbacy of Scone.

Of the buildings of the monastery and ancient palace of Scone, probably very little survived the storm of the Reformation. The house used by the successive commendators was almost entirely removed to make way for the present "palace" of the Earl of Mansfield.

## NEWBATTLE.

The situation of Newbattle is of that kind which the Cistercians most of all affected. The South Esk, escaped from the green hills of Temple and the woody ravines of Dalhousie, widens its valley a little to give room for a

<sup>1</sup> *Reg. de Dunf.* 6, 17, &c.

<sup>2</sup> A single deed evidences four generations :

Thor  
|  
Suan  
|  
Alan  
|  
Walter.

long range of fair level "haughs." At the very head of these meadows, and close to the brook, the Abbey stands. Behind, to the north, are the remains of the ancient monkish village, once occupied by the hinds and shepherds of the convent, but separated from the Abbey gardens by a massive stone wall, ascribed to the time and the personal care of William the Lion,<sup>1</sup> which still forms the boundary of the park on that side. Across the little river the bank rises abruptly, broken into fantastic ravines, closely wooded, which only upon examination are discovered to be the remains of the ancient coal-workings of the monks, of a period when the operation was more a sort of quarrying than like modern coal-mining. The Abbey was not placed to command a prospect. The river banks have probably always been covered with a growth of native oak. What was the clothing of the level lawn of old we can only conjecture. As it is, situated at the bottom of its narrow valley, close by the brook, hidden among beeches and venerable sycamores, it gives an idea of religious seclusion, such as Saint Bernard sought at Cîteaux.<sup>2</sup>

The Abbey was founded in the year 1140, according to the chronicles,<sup>3</sup> by the great founder of Scotch churches,

<sup>1</sup> *Muri ex quadrato lapide monasterii ambitum spaciosissimum complectente; Willelmo rege consummati sunt.*—*Father Hay's MS. Notes.* It is still called "the monkland wall."—*Old Statist. Account.*

<sup>2</sup> The taste of St. Bernard for valleys girt in with forest trees, and pleasant meadows and streams, is well contrasted with St. Benedict's love of heights and downs commanding a wide prospect, by

a German writer—*Semper enim valles*

*syloestribus undique cinctas arboribus, divus Bernhardus, amaraque prata et fluvios: juga sed Benedictus amabat et arces alto surgentes, e quarum vertice late prospectus petitur: secessum plebis uterque.*—*Bruschius de Monasteriis Germaniarum.*

<sup>3</sup> Anno M.C.XL. Facta est Abbatia S. Marie de Neubotle.—*Chron. Maitland.* Monasterium de Neubotle rex David fundavit A.D. M.C.XL.—*Extr. ex Cro-*

King David I., for monks of the Cistercian order, brought, it is said, from Melrose. The names and acts of the successive Abbots, however locally interesting, are not to be inflicted on the general reader.

All the chroniclers agree that Newbattle shared the fate of the other churches in the inglorious expedition of Richard II. and his uncle, John of Gaunt, into Scotland in 1385, when they marked their progress by the ruins of burned abbeys and minsters, while the castles remained unassailed.<sup>1</sup>

“ The Kyng Rychard of Ingland

He made a stalwart gret gadrynge.  
His Eme was thare alsua, the Duk.  
Wyth all thare men the way thai tuk  
To Scotland, and at Melros lay ;  
And thare thai brynt up that Abbay.  
Dryburch and Neubotil, thai twa  
Intil thair way thai brynt alsua.  
Of Edynburgh the kyrk brynt thai.”<sup>2</sup>

The account given of the destruction of the Abbey of Newbattle by Father Hay, has all the appearance of being drawn from some record of the Abbey. “ In the year 1385,” he says, “ the English burnt the monastery of Neubotle ; and, at the same time, several of the granges and farms<sup>3</sup> of the monastery were destroyed, and the others were deserted, while the lands were left untilled. The towers or peels,<sup>4</sup> built by the monastery for protection against English marauders, fared in the same way. Some of the monks were carried away prisoners ; others

*nica.* Anno M.C.XL. idem (David) fundavit Abbatiam de Neubotil Cistercii ordinis.—*Fordun*, v. 43.

<sup>1</sup> Froissart, c. 13, 14.

<sup>2</sup> *Wyntoun*, ix. 7. The chapter is titled, “ Qwhen Rycharde Kyng of Ingland Gert bryne abbayis in Scotland.”

<sup>3</sup> Grangie et villa.

<sup>4</sup> Arces.



fled to other monasteries. The few who remained in the abbey having scarce sufficient food, were compelled, by great distress, to sell twenty-nine excellent chalices,<sup>1</sup> nine crosses of exquisite workmanship, and other sacred ornaments, with their silver household plate. At that time, the greater part of the abbey tower was ruined by the falling of the cross.<sup>2</sup> Then, too, the ancient discipline of the Order, through the injury of wars and the decay of rents, began to decline, and an entrance was afforded for women at the side of the choir and the high altar.<sup>3</sup> But a few years before, I find, from the book of receipts and expenses, the annual income of the monastery could maintain eighty monks and seventy lay brethren, with the corresponding establishment."<sup>4</sup> . . .

The last abbot was Mark Ker, the second son of Sir Andrew Ker of Cesford. The date of his election is not accurately ascertained. On the 22d of May 1555, being indicted in the High Court of Justiciary for hurting and wounding several of the French troops then serving in Scotland, in some affray which had taken place at Newbattle in April preceding, Master Mark Ker appeared in person, "and desired to be repledged as he that was ane kirkman, to his Juge ordinaire." Then ensued a curious dispute between the officials of Glasgow and St. Andrews,

<sup>1</sup> Chalices optimos.

<sup>2</sup> *Major pars campanilis ecclesie cruce corruente excidium passa est.*

<sup>3</sup> *Mulieribus aditum patere ad latus chori et altaris principis.*

<sup>4</sup> *Dipl. Collect.*, vol. iii. *Adv. Libr. MSS.* 34, 1, 10. Father R. Augustin Hay's minute knowledge of the history of Newbattle may be accounted for to some extent by his acquaintance with

the Roslin papers. But he may have had access also to some records at Newbattle which seem now to be lost. In 1790, the Marquis of Lothian wrote to General Hutton—"A fire that took place some years ago, destroyed, as I understood, several books at Newbattle Abbey, so that probably some records might have been destroyed."—*Hutton's Col. Adv. Libr. MSS.*

each claiming jurisdiction in the case. The right of Glasgow seems to have rested only on Ker holding benefices in that diocese. The accused plainly preferred the Archbishop of St. Andrews for his judge; perhaps expecting that Hamilton would look more leniently upon his violence committed against French troops than the zealous Beaton. Mr. James Balfoure, afterwards well known as Sir James Balfoure, then official of the archdeaconry of Lothian, claimed the accused to his court, "be resoun he hes producit ane testimonial of his order of crownebennet berand that he was scolare in the dyocy of Sanctandris, and als allegit that he was born within the said dyocy in the castell of Edinburgh, and maid residence continwallie within the samin dyocy, viz., within the place and toun of Neubotil or Edinburgh; and als that the allegit cryme he wes to be accusit of wes committit within the said dyocy of Sanctandris." To strengthen his plea, Mark Ker immediately demitted his benefice of the Maisondieu of Jedburgh. The official found caution that he should minister justice, but we hear nothing more of the case.<sup>1</sup> "Mark Kar" is found among the lords and barons who subscribed the "contract to defend the liberty of the evangell of Christ" at Edinburgh on the 27th day of April 1560. He is styled "Commendator of Neubotle" in the roll of the members of the Parliament on 1st August 1560, who ratified and approved the Confession of Faith.<sup>2</sup> In 1563, he was one of the Lords for administering the Act of Oblivion.<sup>3</sup> He

<sup>1</sup> Record of Justiciary, quoted in Mr. Pitcairn's *Crim. Trials*. The entry in the record has been sought for in vain.

<sup>2</sup> *Act. Parl.* ii. 525.

<sup>3</sup> *Ibid.* 536.

was named second in the commission appointed by Parliament in 1567 to consider what points "should appertain to the jurisdiction, privilege, and authority of the kirk." In 1571, he was chosen to be of the king's privy council; in 1574, appointed by the Estates one of a commission for "putting in form the ecclesiastical policy and order of the governing of the kirk as they shall find most agreeable to the truth of God's word, and most convenient for the estate and people of this realm." In 1578, he was one of the commissioners named to report upon the "buk of the policie of the kirk;" in 1581, one of those for ordering stipends for the reformed clergy; for reducing hospitals, maison dieux, and almshouses to the order of their first foundation, according to the mind and intention of their godlie founders.<sup>1</sup> "The richt venerable" Mark, Commendator of Neubottle, continued through his remaining life to take a prominent part in the civil and ecclesiastical affairs of the country. The Commendator married Helen Leslie of Rothies, and died in 1584. A fine head of him, painted by Sir Antonio More in 1551, hangs at Newbattle Abbey.

His son, Mark Ker, Master of Requests, was provided to the Abbacy of Newbattle by Queen Mary during his father's life, in 1567, and had a ratification of that grant, under the great seal, upon his death in 1584.<sup>2</sup>

Though Newbattle was not one of the most richly endowed monasteries of Scotland, the Abbey possessed great estates in six counties, Edinburgh, Haddington, Linlithgow, Lanark, Peebles, and Stirling.

<sup>1</sup> *Act. Parl. Scot.* III.

<sup>2</sup> *Regist. Mag. Sig.*

The monks of Newbattle were probably the first workers of coal in Scotland. Their own house is only divided by its little stream from a bank where coal was found so near the surface, and on such a declivity, as to be easily wrought without mining or expensive operations for carrying off the water. Of the period when that bank of coal was worked and exhausted we find no record. But the charters of another property of the monastery seem to throw light upon this point. The first charter of the lands of Prestongrange to the Abbey is by Robert de Quinci, before the year 1189. He grants the grange of Preston, of the territory of Tranent, by these boundaries: "As the burn of Whytrig falls into the sea, on the east, to the marches of the Abbot of Dunfermlin's lands of Inveresch and Ponttekyn (Pinkie), namely, as the rivulet runs from Fauside to the sea, and as I, in presence of good men, perambulated the march between my own mains and Meduflat, and cast ditches for a memorial." Along with valuable rights of pasture on the common of Tranent, and six acres of meadow in his meadow of Tranent, he granted to them twenty loads of peats from his own peatary, and fuel for the grange where the other men of the "town" take their fuel. It seems clear that the fuel here meant is the peat and wood, or "brush," at that time used for all purposes of fire, and especially used to a great extent for the operation of salt-making in the immediate neighbourhood of the lands bestowed on the Abbey of Newbattle. About ten years later, Seyer de Quinci, Earl of Winchester, the son of Robert, confirmed the grant of his father, without

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alteration ; and the chartulary scribe notes that he gave four charters all in similar terms, differing only in their seals.<sup>1</sup> But in a very short time afterwards, Earl Seyer granted to the monks, in increase of his father's gift, the half nearest their own tilled land, of the marsh which stretches to the burn of Whytrig on the east, and also the coal work and quarry (*carbonarium et quarrarium*) between the said burn of Whytrig and the bounds of the lands of Pontekyn and Inveresch, and in the ebb and flow of the sea ; so that none of the Earl's men have any common right within the bounds of the grange of Preston, nor in the pasture, nor in the coal work, nor in the quarry.<sup>2</sup> The boundaries towards the east and west seem to be the same with those by which the lands of the monks were of old perambulated by Robert de Quinci ; and the grant of coal not earlier reserved or mentioned, leads to the conclusion that it had not been previously worked, or at least to such an extent as rendered the privilege important enough to form the subject of a grant by charter. The working at first must have been confined to the coal which showed itself on the surface or the sea-cliff ; but as the nearest supply was exhausted, the seam was followed wherever the level allowed. It was through this same field that, in later times, the monks of Newbattle carried galleries and conduits for the discharge of the water, not only of their own mines, but of that which impeded the working of their neighbours,

<sup>1</sup> The change of seals may have corresponded to the death of Seyer's father and his own creation as Earl of Winchester. It would have gratified the

antiquary if our scribe had described these seals.

<sup>2</sup> Seyer de Quinci is said to have been created Earl of Winchester, c. 1210. He died in 1219.

the monks of Dunfermline, in their coal field of Inveresk and Pinkie.

Against a grant of Philip de Evermel, the Lord of Lynton and Romanno, the chartulary scribe has noted—*mirabilis concessio*. It gave the monks a right of pasture in Romanoch for one thousand sheep and sixty cattle, and all their stud of mares. But that grant was but a small part of the sheep-bearing possessions of Newbattle. The monks had, by the munificence of King Malcolm, a great territory in Clydesdale, the modern name of which, Monkland, preserves the memory of its ancient possessors.

From the Lindesays, also, the Abbey received extensive grants in the high range of Craufurd at an early period ; and all these the monks turned to good account. We have seen that they carried on mining for lead, and they did so also, probably, for the small amount of the precious metals which that district has always been known to contain, and which might be worth the winning, when labour and subsistence were equally cheap. But the monks cultivated their Lanarkshire territories to better purpose than mining, as it was then practised. They kept the greater part in their own occupation. They had granges at each of their “ towns ;” each grange the centre of a considerable agricultural establishment. It was of importance to preserve an open communication with those distant possessions, and the Register is full of transactions for that object with the intermediate proprietors, whose grounds must be passed through. The grant of Alexander II., of license to pass with cattle

through any intervening ground, and to spend the night in the common pasture, saving corn and meadow, was only a specification of an ancient common law right in Scotland. But the monks, being on good terms with their neighbours, accepted the right sometimes as a grace. Thus the knights of St. John gave free passage through their bounds of Torphichen ; the De Boscos, lords of Ogilface, through their land of Ogilface ; the Le Chens through Strabrock ; the Stewarts through the barony of Bathcat ; the lords of Dalmahoy through their territory. The family of Melville gave a very early license of the same kind to the monks, "going and returning between Neubottle and the Abbey lands in Clydesdale, of passing through their lands of Retrevyn, by the road they had used in times past, with their cattle and carriages ; and also of unyoking their beasts from their wagons, and pasturing in the pasturage of that land as often as they required, avoiding corn and meadow, and of passing the night there, once in going and once in returning." For this the monks were to pay yearly a new wagon, such as they manufactured for their own use in Clydesdale—it is plain the monks' wagon was a model—laden with timber or building material of any kind.

The western possessions of Newbattle are not much adapted for agriculture, even with the improved management and probable improvement of climate of modern times. But it was well suited for rearing stock, and especially for wool-growing ; and we have some curious evidence that the Abbey of Newbattle took a lead in producing the finest quality of wool grown in Scotland.

At the end of the fifteenth century, the wool of Newbattle Abbey not only ranked highest in price, but seems to have given a name for the highest quality of Scotch wool.<sup>1</sup>

The gift of the valley of the Lethan to the Abbey is interesting. Alexander II. had married his second wife, Mary de Couci, on the 15th May 1239. His first marriage was childless. The hopes of the nation were fixed on the birth of an heir to the throne. The king had chosen the castle of Roxburgh as his residence for the time—a proof of the peace and confidence of that reign—and the queen was there preparing for her confinement. Many gifts conferred by Alexander II., and still more, his frequent residences at the Abbey, show his favour for Newbattle. It was an occasion to give rise to strong and solemn feelings of religion. On the last day of August 1241, the young queen, looking to her time of peril, and impressed with the frail tenure of life, bequeathed her body to be buried in the church of Newbattle; and in anticipation of the customary oblation, the king granted to God and the church of St. Mary of Newbattle, and the monks there serving God, in free, pure, and perpetual alms, the vale of Lethan, from the head of the burn of Lethan, with all the streams that flow into it; and that specially for providing for the monks a “pittance” twice in the year, namely, one on St. Bartholomew’s day, the birth-day of the king, and another on the feast of the nativity of the Virgin, a high solemnity in

<sup>1</sup> Halyburton’s arrivals of wool bear the following names :—“Neubotyl”—“Forest”—“Newcastle”—“Galloway” — “Aberdeen’s”—“Bona lana”—“Quhyt”—“Brown”—“Middling”—“Lamb”—“Wedder”—“Tyd.”



her Cistercian church. Four days afterwards, on the 4th of September, the vows of the sovereigns, and the ardent wishes of a whole people, were crowned by the birth of a prince destined to continue the good rule and good fortune of his father.

And now for the completion of the vow. We know little of the history of Mary de Couci after the death of Alexander. Her second husband was John de Brienne (called also Jean d'Acre), son of the emperor of the shadowy empire of the East ; but her subsequent life and the period of her death are alike unknown. It is stated, however, that she, with her brother, Enguerran de Couci,<sup>1</sup> visited Scotland in 1272, to place their young nephew, the heir of Guines, at the court of his cousin, the king of Scots. It may be that the queen-dowager remained in Scotland. That seems more probable than that, having died in France, her body should have been brought hither for burial. That she was ultimately entombed at Newbattle cannot be doubted. The same authority, already quoted from the poor notes of Father Hay, asserts almost as an eye-witness—"In the midst of the church was seen the tomb of the queen of King Alexander, of marble, supported on six lions of marble. A

<sup>1</sup> *Fortun*, x. 30. Enguerran, Mary's brother, the seventh lord of the old race of Couci, is chiefly known as a mighty hunter and preserver of his forests. He was happy in living in an age tolerant of that taste, and could indulge it more freely than our modern deer-preserving lords. Having met three young gentlemen of Flanders, students at the Abbey of Laon, trespassing on his land of Couci—he hanged them! The good

king, St. Louis, indeed, was very angry, and made the Lord of Couci pay heavily for the enjoyment of his right of property. His nephew, the young Enguerran de Guines, who, after his death, assumed the name and honours of De Couci, remained at the court of Alexander III., and there married Christian de Lindsay, the eldest of the heiresses portioners of the estates of Balliol in Scotland, England, and France.

human figure was placed reclining on the tomb, surrounded with an iron grating.”<sup>1</sup>

Another lady of more slender fame, but also connected with the royalty of Scotland, found her last resting-place at Newbattle. The story is told in the Scala Chronicle, but the knight of Heton’s French is hard reading, and the passage was long ago done into English by John Leland. “In the yere 1360, one Catarine Mortimer, a damoisel of London, was so beloved of Davy Bruise, king of Scottes, by acquaintance that he had in tyme of imprisonment with her, that he could not forbere her companie. Whereat the lordes of Scotland were angry, and causid one Richard de Hulle, a varlette of Scotland, to go to hur, as for businesse from Bruise, and he stikkid her, and killid her, ryding from Melrose to Soltre; whereupon Bruise toke great dolor, and caused her to be buried honourably at Neubotle.”<sup>2</sup>

One or two benefactions connected with persons of historical importance may be briefly noticed. It is known that St. Bride was the patron saint of the heroic family of Douglas, whose help they invoked in sudden peril, by whose name they vowed, on whose festival they dated their acts of munificence or charity, before whose altars they chose their graves. On St. Bride’s day, or the 1st of February, in the end of the year 1329, at the park of Douglas, the “good Sir James of Douglas,” being then about to depart for the Holy Land with the heart of his

<sup>1</sup> *In medio templi tumulus Regine Alexandri regis conspiciebatur, marmoreus, sex marmoreis leonibus innixus. Tumulo humanu figura superposita et*

*crate ferrea circumsepta.*—*Dipl. Col.* III. 34, 1, 10.

<sup>2</sup> *Scala Chron.* Appendix, p. 314.

royal master, bestowed on the monastery of Newbattle his half of the land of Kilmad, the other half of which it already possessed by gift of Roger de Quinci ; while the monks, on their part, became bound to sing a mass at St. Bridget's altar within their abbey church on the feast of St. Bridget, yearly for evermore, and to feed thirteen poor folk, that the saint might make special intercession with God for the weal of the good knight.

More than half a century later, when the old Grahams had left Dalkeith, and been succeeded by another race still more powerful and no less friendly neighbours to Newbattle, Sir James Douglas of Dalkeith made a will on the 30th September 1390, in which, commending his soul to God and the Blessed Virgin and All Saints, he ordered his body to be buried in the monastery of St. Mary of Neubotle, beside his late "companion,"<sup>1</sup> Agnes of Dunbar, his first wife. At the same time, he bequeathed to the Abbey a "nowche," or jewel, of St. John, worth forty marks, or its value, and in addition, £23, 6s. 8d., for the building of the church and wages of the masons employed upon it. For the service of the monks' refectory he gave twelve silver dishes, weighing eighteen pounds, six shillings sterling, enjoining his heirs to see that they should not be abstracted from the use of the refectory or sold. He left £10 to the monks to pray for his soul, and £26, 13s. 4d. for an offering, and lights and other necessities for his funeral.<sup>2</sup>

Of existing families, the largest benefactors of New-

<sup>1</sup> Socie mee.

<sup>2</sup> *Bannatyne Miscellany*, II. Sir James Douglas made a subsequent testa-

ment on the 19th December 1392, and in it, while he bequeaths the same sums to the monastery, he no longer appro-

battle were the Lindesays, already settled at Craufurd, from which they afterwards took their title. As if in recompense for that old munificence, the Abbey records now furnish the best proofs of their ancient pedigree. Generation after generation of these old lords of Craufurd granted and re-granted to their favourite monastery parts of the lands which they held from Suan the son of Thor. Their charters are by far the earliest and most interesting documents for the history of that district. Their boundaries give names not again heard for centuries. They bestowed freely the lands, with all feudal privileges ; only, the first granters reserved the game—*salvis bestiis et avibus—reservatis feris et avibus* ; and the king, in confirming their grant, reserved his royalty of mines—*salva nobis minera si que in dicta terra inveniri poterit*—till at length Gerard de Lindesay, confirming the grant of his grandfather, “in testimony of the peculiar favour he bore the house of Neubotle,” yielded, over and above, the much-valued rights of the forest—*sine aliquo retinemento ferarum et avium* ; and the king, at his intercession, granted those lands in free forest, with all the forest privileges.

One of the documents registered by the Abbey scribe, gives a perfect form of the mode of “extending,” that is, valuing, land in the reign of Alexander II. The king issues his precept to John de Vaux, sheriff of Edinburgh, and Gilbert Fraser, sheriff of Traquair, to Heris, his forester, and Pennycook, another officer, that they go in

priates a part to the building of the church, or the payment of the workmen. Perhaps the rebuilding of the Abbey

church had been completed in the meantime.—*Ibid.*

person to the ground, and there, by the oath of good and faithful men of the country, make be extended the pasture of Lethanhop with its pertinents ; and that extent made, that they inform the king, by letters under their seals, of the said extent and the yearly value of the said pasture.

The valuation then made, when contrasted with the desolation caused by the ceaseless wars of later times, might naturally be called *valor tempore pacis*, until that phrase passed even into legal style, as equivalent to "old extent." Our chartulary scribe, whose notes are sometimes quaint and often instructive, has noted one or two cases that bring out the deterioration emphatically. He notices a property of the Abbey in Berwick which used to yield 46s. 8d., "but now destroyed and ruined to the foundation, and, in a manner, of no valuc." His next charter is a grant upon the Nes of Berwick, "beside the great houses of Melros." "This," says he, "in time of peace (*tempore pacis*), was for the proper benefit (*in proprios usus*) of the monks, and it yielded a hundred shillings yearly ; but now there is not one stone standing upon another."

It is curious to trace, by means of charters, some popular and vulgar names of places to their remote origin. Here is one instance, from documents more or less connected with our Abbey. King William the Lion grants to Ailif, the king's baker, all the land which Reginald, the gate-ward of the castle of Edinburgh, held of the king, in Inverleith, to be held by the service of his own body in his office of baker. Nicholas, the son of Ailif, succeeded to his father in

his office, and also in the lands held by him in Inverleith, which he also held by the service of his office, *per servitium sui corporis*, and with the privilege of grinding his corn at the king's mill without multure. In the reign of Alexander II., Nicholas resigned these lands of the hereditary bakers, in favour of the family of St. Clair of Roslin, and they appear in the later titles of that noble house by the name of "the Baxter-lands of Inverleith," a name which may be still known to some who do not dream that it is derived from their most ancient tenure.

Of the architecture of the Monastery of Newbattle, literally nothing more is known from records or chronicles than the meagre and half authentic particulars collected by Father Hay. We have proof enough, indeed, of the extent of the Abbey buildings. To accommodate eighty monks and seventy *conversi*, with their retainers,—to entertain, as the Abbey often did, the bishop, and the whole synod of his diocese,—to receive the sovereign and his court—for there is scarcely a king from its saintly founder downwards who was not frequently received at Newbattle<sup>1</sup>—must have required a large and spacious edifice. It happens that in contemporary writers the Abbey buildings are scarcely ever mentioned but to record their destruction. They were burnt by Richard in 1385. They were burnt again by the Earl of Hertford in 1544. "Upon the 15 day of May the horsmen raid to Newbottill and brynt it; and owersaw

<sup>1</sup> We learn this partly from the continual occurrence of the place in the dates of their charters. Alexander II.

seems to have been especially fond of the seclusion of the convent by the Esk.

Dalkeith, be the moyane of George Dowglas ; and brynt many uther tounes thairabout. Na skaith was done to any kirkis exceptand thai distroyit the abbay of Newbottill. And the same nycht thai returnit to Leith.”<sup>1</sup>

The burning of such a pile of masonry was perhaps but a partial destruction. Certain it is, that in a few years after the English Lieutenant’s rough handling, the Abbey buildings were sufficiently restored to be thought a convenient place for the reception of a great assembly, since the Queen-dowager, in person, held there a convention of the Lords of her party, preparatory to declaring war with England, in 1557. The subsequent disappearance of the ancient Abbey buildings cannot be accounted for in the common way, by alleging the violence of the reforming mobs. The Abbot of Newbattle entered so heartily into the Reformation, that his dwelling must probably have been respected by the most zealous iconoclasts ; and as it seems to have been a dwelling for his descendants continuously, we must rather seek the cause in their preference of modern comforts to the picturesque architecture and the historical and pious associations of the old Abbey.

The present house is, to outward appearance, of the style of the middle of last century, with an addition made quite recently ; and however much we may wonder that the minister of the parish, living in the village, should make no allusion to anything more ancient in its structure, we cannot be surprised at the author of *Caledonia* following him in stating that “ the buildings of

<sup>1</sup> *Pollock Chronicle.*

the Abbey have been long obliterated by the erection on their site of the modern mansion of the Marquis of Lothian that is called Newbattle Abbey.”<sup>1</sup> It requires a close inspection to correct this mistake. The present house occupies, indeed, a portion of the area of the ancient monastery; but, though ingeniously hidden, and the exterior broken into modern-shaped windows, the old work, the unmistakable ancient masonry, is still visible in parts of the walls; and here and there an antique moulding peeps out from the screen of coarser modern art. In the interior the whole ground floor is exceedingly interesting. Broken by modern passages, and modern windows and chimneys, intersected by the whole region of kitchen and cellar, there is yet to be traced from side to side of the house, a series of vaulting, perhaps a sort of crypt used to raise the building beyond the danger of the overflowing river. Several portions of the vaulting are very perfect.<sup>2</sup> The details of the very unadorned architecture bear the “Early English” character, and they have been assigned by the highest authority<sup>3</sup> to the middle of the thirteenth century, proving that the substructure at least of the old Abbey survived the successive burnings of invading armies, and that it was for a higher or a different part

<sup>1</sup> *Caledonia*, II. 759, note.

<sup>2</sup> The pillars are octagonal, the plain shaft measuring 3 feet 6½ inches in length, and each side of the pillar, 7 inches. From the top of the capital or spring of the arch, to the floor—apparently the level of the old floor—is six feet. From pillar to foot of corbel, going from east to west, measures 13

feet 1 inch; from pillar to pillar, going from north to south, 9 feet 7 inches. The arches are circular; the ribs show five plain sides, each side measuring five inches. The key-stones, now all plain, may *possibly* have been at one time enriched with bosses. From the key-stone of the rib to the floor measures 12 feet.

<sup>3</sup> Professor Willis of Cambridge.



of the building that Sir James of Douglas made his bequest in 1390, and Edward of Crechton, in 1419, paid a sum "for the restoring and building of the monastery."

It can scarcely be affirmed that the part of the ancient work remaining formed any portion of the Abbey Church. The church, with its cemetery, has been effectually obliterated; and it is beneath the flower-plots or the smooth turf of the modern garden, that Queen Mary de Couci rests, and Sir Alexander de Ramsay, and Sir James of Douglas, and many another lady and lord of Lothian.

#### ARBROATH.

The date of the foundation of Arbroath is of some interest in church and public history. Thomas à Becket, the high church archbishop, was slain at the altar of his own church of Canterbury, on the 29th of December 1170. Two years afterwards, in 1173, he was canonized; and within five years of his canonization, and not more than seven from the period of his death, in the year 1178,<sup>1</sup> William King of Scotland had founded, endowed, and dedicated to Saint Thomas the Martyr, the Abbey of Arbroath.

William was no admirer of the Archbishop's principles of Church independence. His whole policy was opposed to them. A contemporary churchman accuses him of imitating the Norman tyranny in controlling the disposal of church preferment,<sup>2</sup> and he did not always

<sup>1</sup> Fordun, VIII. 25.

<sup>2</sup> The passage is very curious—*vir tantus et tam laudabilis in multis, totam*

*gloriam suam ab ineunte ætate usque in senium (proh dolor!) unica macula decoravit. Per totam enim terre suæ*

testify great respect for the Pope. It has been suggested that William was personally acquainted with Becket in his early life, "when there was little probability of his ever becoming a confessor, martyr, and saint."<sup>1</sup> Was this the cause, or was it the natural propensity to extol him who, living and dead, had humbled the Crown of England, that led William to take Saint Thomas as his patron saint, and to entreat his intercession when he was in greatest trouble?<sup>2</sup> Or may we consider the dedication of his new abbey, and his invocation of the martyr of Canterbury, as nothing more than signs of the rapid spreading of the veneration for the new saint of the high church party, from which his old opponent himself was not exempt?<sup>3</sup>

The king, its founder, was the great benefactor of the Abbey. But it is astonishing with what rapidity estates in land, churches and tithes were heaped upon the new foundation, by the magnates and barons of

*totius amplitudinem, in cathedralibus ecclesiis cunctis, nullas omnino nisi ad nutum ipsius, more tyrannico fieri permisit electiones; enormes quidem Normannicæ tyrannidis per Angliam abusiones, nimis in hoc expresse sequens.—Girald. Cambr. in Angliâ Christiana.*

<sup>1</sup> Hailes' *Annals*, A.D. 1178. The assertion of William's acquaintance with Thomas à Becket does not rest only on the authority of Camerarius (*De fortitud. Scot.* p. 126, where he fairly makes a saint of William), nor on his authority, Hector Boetius (lib. xii.), who narrates that—*cum illo magnam puer consuetudinem habuerat*. This fact is affirmed by the Chronicler of Lanercost—*Ob familiarem amorem inter ipsum et Sanctum Thomam, dum adhuc in curia regis*

*Henrici esset, contractum, divulgato in mundo et approbato in celo celebri ejus martyrio, abbatiam de Aberbrouthok in honore ipsius fundavit et redditibus ampliavit* (p. 11).

<sup>2</sup> William frequently invoked the help of Saint Thomas as he was led to the place of his captivity at Richmond.—Fordun, VIII. c. xxii.

<sup>3</sup> The story of King Henry's penance at the tomb of Becket, coinciding exactly with the capture of his enemy William at Alnwick (which Lord Hailes criticises too minutely), serves at least to show the popular feeling, and perhaps Henry's willingness to take advantage of it. The miraculous coincidence was certainly believed universally in that age.—*Chron. Mailr.*; Fordun; Gervase; *Mat. Paris*, &c.

Angus and the north. It is not uninteresting to note the acquisitions of a single reign.

King William himself bestowed on the monks serving God and Saint Thomas the martyr at Aberbrothoc, the territory of Athyn or Ethie, and Achinglas, the shires of Dunechtyn and Kingoldrum; a net's fishing in Tay, called Stok, and one in the North Esk; a salt-work in the Carse of Stirling; the ferry-boat of Montrose, with its land; the custody of "the Brechennach," with the lands of Forglen attached to that office; a plough of land in Monethen or Mondyne on the Bervy; a toft in each of the king's burghs and residences, and a license of timber in his forests: the patronage and tithes of the following churches:—

*In Angus*—St. Mary of Old Munros, with its land, called in "the Scotch speech, Abthen," Newtyl, Glammis, Athyn or Ethie, Dunechtyn, Kingoldrum, Inuerlunan, Panbryd, Fethmuref or Barry, Monieky, Guthery. *In the Mearns*—Nig, Kateryn or Caterlin. *In Mar*—Banchory Saint Ternan, Coul. *In FERMARTYN*—Fyvie, Tarves. *In Buchan*—Gameryn. *In Banff*—St. Mar-nan of Aberchirder, Inverbondin or Boindie, Banf. Inverness; Abernethy in Strathern; Hautwisil in Tyndale.

During William's reign, the new abbey was endowed by the great Earls of Angus, with the churches of Monifod or Monifieth, Muraus, Kerimore, and Stradechtyn Comitis, now called Mains,<sup>1</sup> and the same family bestowed upon it lands called Portincraig, a name which, though now appropriated to the head-land on the Fife

<sup>1</sup> This parish was named Earl Stradichty, in distinction from the adjoining parish of Stradichty St. Martin, named after its patron saint.

side of the ferry, must, from the description and boundaries, have been applied to what is now known as Broughty and its adjacent lands. These grants afford charter evidence of five generations of this family : (1.) Earl Gillebride (apparently before the foundation of Arbroath) had made a donation of the land of Portincraig, with the fishing along its shores, for founding an hospital at Portincraig. (2.) Earl Gillechrist, his son, appropriated that land to the new abbey, and his charter was successively ratified by his son (3.) Earl Duncan, his grandson (4.) Earl Malcolm, and by (5.) Maud Countess of Angus, in her own right.

By gift of Marjory Countess of Buchan, the monks had the church of Turfred or Turref; from Ralf le Naym, the church of Inverugy; from Roger Bishop of St. Andrews, the church of Aberhelot or Arbirlot.

The De Berkeleys granted to the convent the church of Inverkelidor or Inverkeelor, which was confirmed by Ingelram de Balliol, who married the daughter of Walter de Berkeley; and the lands of Balfeith or Belphe, with a description and bounding most instructive for the antiquities of Angus and Mearns.<sup>1</sup>

By the gift of Thomas de Lundyn the Durward

<sup>1</sup> The land was perambulated "according to the assize of the realm" (old King David's laws), in presence of the Bishop of Aberdeen and the Earl of Strathearn, by Angus MacDuncan, and Malbryd Mallod, and Dufscelok of Fetheressau, and Murac, and Malmur MacGillemmichel, and Gillechrist MacFadwerth, and Cormac of Nug, and other good men of our lord the king, of Angus and of Moerns. This jury of Celtic gen-

tleman of the low country of Angus and Mearns, contrasts notably with the lists of burgesses of Dundee and Aberdeen, of Norman or Saxon names and Teutonic lineage, occurring about the same time. The fixing of the boundaries at so early a period (the very beginning of the thirteenth century) is of interest to the local antiquary; and the minute provisions of peatary and pasture—the grazing of 100 beasts with their followers, and as many

(*Ostiarius Regis*), the monks obtained the church of Kinerny ; and the bank of forest-land, lying at the junction of the Dee and Canny, called in the days of William the Lion “*nemus de Trostauch*,” and which, now again under wood, has been known for many years to the Deeside people as “the Wood of Trustach.”

Robert de Lundres, the bastard son of King William, bestowed on the Abbey the church of Ruthven. From the Malherbes it received two oxgates in Rossy, and a rent of two shillings from the land of Balenaus or Balnaves in Kinnell. From the Fitz-Bernards the forefathers of Sibald of Kair, the little green cove or “Rath” of Kateryn or Katerlin, on the coast of Mearns ; from the De Montforts, Glaskeler, adjoining it ; from the family who adopted Abbot or Abbe for their surname, a right of making and using charcoal from their wood of Edale or Edzell ; from the Fitz-Thancards, the lands between Ethkar and Calledouer, and the davach of Balle-gillegrand ; from the Bishops of Brechin, small possessions in Stracatherach ; from the St. Michaels, the lands of Mundurnach, probably Mundurno on the Don, a little way north of Aberdeen ; from Earl David, the brother of King Malcolm and King William, a plough of land in Kinalehmund or Kinethmont, in his lordship of Garioch, measured and arable ; a mark of silver yearly from Fergus Earl of Buchan ; a half mark from the family of the great Earls of Strathearn, out of the fishing of Ur (Mickle-

swine and as many brood mares as the monks chose, with a right of “shealing” from Pasch to the feast of All-Hallows, either in Tubertach, or in Crospath, or

in Glenfarkar, afford glimpses of the ancient occupation of the district which are not to be found elsewhere.

our ?) on the Tay, above Perth ; from Richard de Frivill, a plough of land of Ballekelefan ; and by grants from him, from Philip de Melvil, and his father-in-law Walter Sibald, and from King William himself, a small territory about Monethen, or Mondyne on the Bervy, and Kare.

In recording the acquisition of those ample possessions, and affording the first record of property over wide districts, the registers of Arbroath furnish incidentally some information of interest to those who feel none in the ancient religious foundation, or in the history of the early inhabitants and the local history of the soil. On other subjects of more general interest it opens dim lights, or suggests subjects for speculation, though too often the historical inquirer must still rest satisfied with a conjectural result.

The charters connected with the Abbey's acquisition of the church of Abernethy might furnish subject for abundant discussion to the zealous antiquary. The church is granted by King William ; and at the same time, Laurence, son of Orm of Abernethy, while he quits all his right in the advowson of the church, with its dependent chapels of Dron, Dunbulg, and Errol, and with the lands of Belach and Petinlouer, grants to the Abbey of Arbroath the half of the tithes of the property of himself and his heirs (*provenientium ex propria pecunia mea et heredum meorum*), the other half of which belongs to the Culdees of Abernethy, and the whole tithes of the territory of Abernethy, except those which belong to the church of Flisk and Culter, and except the tithes of his lordship of Abernethy (*de dominio*

*meo de Abernethy*), which the Culdees have always possessed, namely, those of Mugdrum, Kerpul, Balchyrewell, Ballecolly, and Invernethy, be-east of the burn. In confirming this gift, evidently the same day and place at which it was made, King William uses the same words, with this exception, that he styles the granter "Abbot of Abernethy." Here, therefore, we have Laurence the son of Orm, Abbot of Abernethy, an ancient house of Culdees, lord also of the lordship or manor of Abernethy, and not only granting tithes out of his own property there, but asserting it to be the inheritance of him and his heirs.

These charter evidences help out the obscure indications in our older chroniclers, of a race of church nobles, hereditary heads of religious houses, and taking rank among the highest of lay magnates. When we read that the ancient dynasty of our kings (before the wars of the Succession) sprang from the marriage of Bethoc, a daughter of Malcolm II. with Crinan, Abbot of the Columbite family of Dunkeld—that Ethelred, a son of Malcolm Canmore, Abbot of Dunkeld, was also Earl of Fife, our best historians have evaded the embarrassment by questioning the authority of the chronicler;<sup>1</sup> and it has not hitherto been suspected that there were proofs of an old house of Culdees, even surviving Saint David's church revolution, having its hereditary abbot, and styling himself and acting as lord of the abbey territory.

The evidence, indeed, is narrow, and may not be deemed satisfactory, and this is not the place for rearing an argument upon it. It raises, at least, an interesting

<sup>1</sup> Hailes' *Annals*, 1093.

speculation both for Scotland and Ireland; and independently of it, the historical inquirer of both countries will be pleased to meet the frequent notices of the old Culdees both of Abernethy and of Brechin, which occur in the Register of Arbroath.

The Register of Arbroath has preserved the most ancient evidence of the form of judicial procedure, as recorded in rolls of the king's court, the proceedings themselves being founded upon the old laws of King David,—“*Assisa regis David . . . usitata et probata in regno Scotiæ usque ad illum diem.*”

In a discussion regarding the service due to the Abbey for the land of Innerpefir, we have some light thrown upon the nature of the military service stipulated in ancient Scotch charters, and incidental mention of an expedition of Alexander II. into the western Highlands in 1248, not elsewhere commemorated, with the attendance of those bound to do military service.

Connected with this subject, we turn with much interest to the indications of an early “extent” of land, or a measure or valuation, having reference to public burdens. Some deeds would seem to show a definite for-ensic service, and a fixed amount of *aid* due from lands, long before the period which is generally assigned for the introduction of the old extent. The very ancient denominations of land, from its value—*librata*, *nummata*, *denariata terræ*, plainly point at a valuation for some public purpose; but here there are indications that the divisions into davachs, which have hitherto been taken for mere agricultural measures of arable land, have also



reference to an early extent, expressed in measure of land, not in money value ; and these occur in 1234, without reference to any recent measure of extent or taxation.

There is a singularity in the motive of the grant, by King Robert, of the church of Kirkmacho. It is given “for the health of his soul, and of the souls of his ancestors and successors, kings of Scotland, and especially for the souls of those whose bodies rest within the church and its cemetery”—pointing, perhaps, to Kirkmacho as a place of sepulture of the old lords of Annandale.

The custody of the Brecebennach, or consecrated banner of Saint Columba, was an ancient and valuable part of the Abbey privileges. The lands of Forglen had of old been granted for its maintenance, and under it, no doubt, the vassals of the Abbey marched to war. The church of Forglen was dedicated to Saint Adamnan, the follower and historian of Saint Columba. At what period the saint's holy banner was associated with that territory cannot now be determined. When King William granted its custody to the abbot of his new monastery, the distance as well as the nature of the office—raising and following the banner in the king's host—would evidently suggest a lay-substitute. The custody of the Brecebennach, in the beginning of the fourteenth century, was held of the abbot, by the knightly family of Monymusk of that ilk ; from whom it passed by descent to the Urrys and the Frasers, becoming vested, about the year 1420, in the Irvines of Drum.<sup>1</sup>

<sup>1</sup> See, regarding the banner and its custody, *Collections for a History of the Shires of Aberdeen and Banff*, pp. 510-518,

and *Miscellany of the Spalding Club*, vol. iii. Preface.

The meaning of the word "Abthein," as applied to an office, has been a subject of frequent discussion and dispute among Scotch antiquaries. In the Register of Arbroath we have the word occurring several times, but always in reference to land. In an early charter, King William granted to Hugh de Roxburgh, the Chancellor, in liferent, "*terram abbacie de Munros*," to be held of Arbroath for a *reddendo* of three stones of wax. There was no abbey at Montrose, and we must look for the meaning of the grant in another direction. In the great charter of Arbroath, the king granted to it "the church of Saint Mary, of old Munros, with the land of that church, which in Scotch is called Abthen." Again, early in the thirteenth century, Malcolm, Earl of Angus, granted to Nicholas, son of the priest of Kerimure, and his heirs, in fee and heritage, the land of Abthein of Munifeith; and the Countess Maud, in her widowhood, confirmed that grant. There is nothing here to connect the tenure with the Abbey; but in 1310, Michael de Monifoth, the hereditary lord of the land (*dominus abbathanie ejusdem*), binds himself to pay to the convent of Arbroath six shillings and eightpence of good and lawful sterlings, for the toft and croft which he holds of them in the territory of the said *abbathania*, together with half a boll of mustard seed. This toft was without doubt that which the Countess Maud describes in her charter of gift to Arbroath as "the land to the south of the church of Monifod, which the Culdees held in my father's time."<sup>1</sup>

Abthein (Abthany), then, was land, the property of or

<sup>1</sup> *Cart. Orig.* IV. v.

connected with an abbot or abbacy—perhaps of a Culdee house—but whether any other quality or condition enters into its meaning, there are too few materials yet to ascertain.

Whilst the Chartulary of Arbroath illustrates the genealogies of many of the great families of Angus and the north, it brings us acquainted with some names, the early history of which is of still more interest in the district.

John Abbe, the son of Malise, granted, and Morgund, the son of John Abbe, confirmed to the monks, the privilege of taking coals (charcoal) in the wood of Edale. Donald Abbe of Brechin, in the reign of William the Lion, granted to the monks the davach of Ballegillegrand, and his grant is witnessed by Malbrid, Prior of the Culdees of Brechin. Maurice Abbe of Abirecloth, occurs very low down in the list of witnesses of several charters of Gilchrist Earl of Angus. There are several occurrences in other church registers, particularly among the charters of Coldinghame, of persons bearing this singular name, and it may not be impossible, by a comparison of these, to detect its meaning and origin.

In an early, but undated charter, we have perhaps the first record of the ancient family of Falconer. The party is William the Falconer—"Willelmus auceps"—who no doubt also bore sometimes the name of Hawker; for whilst his descendants have retained the former name, their dwelling (*villa ejusdem Willelmi aucupis*) acquired that of Haukerstun.<sup>1</sup>

<sup>1</sup> The charter has several minute particulars of curiosity for the local anti-

quary. The land in question lay to the west of the bridge of Luffenot, and

A person of the name of Bricius occurs in very early charters as “judex” of Angus, probably holding his office under the great Earls. In 1219, Adam was “judex” of the Earl’s court. Some years later, he became “judex” of the king’s court, and his brother Keraldus succeeded to his office in the court of the Earl, for, in the year 1227, we find the brothers acting together, and styled respectively “judex” of Angus, and “judex” of our lord the king. The dwelling of Keraldus received the name of “Keraldiston,” now Caraldstoun; and the office of judex, becoming hereditary, and taking its Scotch style of “Dempster,” gave name to the family who for many generations held the lands of Caraldstoun, and performed the office of Dempster of the Parliaments of Scotland. Its functions were no doubt of a very different kind and degree from those fulfilled by the ancient judex, and it might be interesting to trace, from these and other materials, the progress of the change.

It has already been mentioned that much of the pedigree of the ancient Earls of Angus is proved from the Register of this Abbey. It affords also valuable information for the genealogies of the De Berkeleys, Malherbes, De Rossys, Wischards, Middletouns, Scots, De Brechins, Melvilles, Arbutnotts, Sibbalds, Moncurs, Mohauts, and other houses of Angus and the Mearns, as well as of the Earls of Buchan, and the names of Garuiach, le Cheyne, Leslie, Feodarg, Meldrum, Durward, Walchope, Moni-

extended to a certain bridge called Stanbrig, which appears certainly to have been a bridge of stone over the North water, a very early example of a bridge over such a stream. The

land was granted to the church of Mar-ingtun, apparently Marykirk; and as a symbol of investiture, the Falconer offered a turf of the land upon the altar of the Church.

musk, and St. Michael, with other ancient families in the north.

There are a few welcome indications of the domestic manners of our forefathers. Thus, a grant of a hostelage in Stirling presents us with a fair picture of a lodging of the better sort in the fourteenth century—a hall for meals, with tables and trestles and other furniture ; a spence with a buttery ; one or more chambers for sleeping ; a kitchen ; and a stable capable of receiving thirty horses. They burned candles of white tallow, which were commonly called Paris candles. They used straw, apparently for bedding, and the hall and bed-chamber were strewn with rushes.

The Chartulary of Arbroath is peculiarly rich in notices of the Culdees. At Abernethy a convent of them existed, though perhaps in little more but in name, to the end of the reign of William the Lion, when they seem to have expired, and there is no trace of their rights or claims having been transferred to St. Andrews. The chapter of Brechin at first consisted entirely of that order. The successive bishops speak of them with affection as "*Keledei nostri*." Towards the end of William's reign, we find an infusion of other clerks in the chapter ; the prior of the convent of Culdees, however, being still the president. In 1248, the last year of the reign of Alexander II., the Culdees have disappeared altogether, and the affairs of the Cathedral are managed in the ordinary modern form by the dean and chapter.

A few notices of forgotten saints are interesting to the Church antiquary. The little island of the Esk, on

which abuts the bridge of Montrose, once contained a church which has now disappeared, though its cemetery remains, and gave its name to a surrounding parish, still remembered as Inchbrayock. The origin of the name is found in these charters, where we meet, in the reign of Robert the Bruce, with the parson of the parish church, styled rector of the church of St. Braoch.<sup>1</sup>

The church of Inverkeler is called, in a charter of King William, the church of St. Macconoc of Inverkeler. It has been suggested that the first syllable was probably a Celtix prefix of affection, and that the church was dedicated to St. Canech or Kenny, the contemporary of St. Columba, who visited him at Hy, and the same person who gives name to Kilkenny. He is commemorated in the calendar of the Scotch Church on the 11th of October.

When we consider the long and united efforts required in the early state of the arts for throwing a bridge over any considerable river, the early occurrence of bridges may be well admitted as one of the best tests of civilisation and national prosperity. The bridge over the North water has already been mentioned. We find a bridge existing over the Esk at Brechin, and the land of Drumsleid appropriated for its support, in the early part of the thirteenth century. In that age there was a bridge over the Tay at Perth ; bridges over the Esks at Brechin and Marykirk ; a bridge over the Dee at Kincardine O'Neill, probably another at Durris, one near Aberdeen, and one at the mouth of Glenmuick ; even a bridge over the rapid

<sup>1</sup> *Orig. Cart. xii.*

Spey at Orkill. If we reflect how few of these survived the middle of the fourteenth century, and how long it was, and by what painful efforts, before they could be replaced in later times, we may form some idea of the great progress in civilisation which Scotland had made during the reign of William, and the peaceful times of the two Alexanders. We do not know much of the intellectual state of the population in that age, but regarding it only in a material point of view, it may safely be affirmed that Scotland, at the death of King Alexander III., was more civilized and more prosperous than at any period of her existence, down to the time when she ceased to be a separate kingdom in 1707.

The Register of Arbroath will be regarded with great interest by the historian as well as the local antiquary. It points at the first settlement of many districts, and the earliest traces of civilisation ; some very interesting particulars of Church antiquities, and the various races from which our population draws its origin. It illustrates the descent and transmission of lands widely scattered over three counties, and the early history of some of the greatest and most interesting Scotch families. Like all the monastic registers, it gives minute and interesting details of the habits and manners, and the whole social condition of the people of the country.

The buildings of the Abbey of Arbroath, begun in 1178, brought near to their completion at the time of the dedication of its church in 1233, through the decay of so many centuries, in spite of violence and long neglect, and barbarous modern repairs, still afford a few specimens of

good Norman architecture, and parts of several later styles. In the middle of last century, Dr. Johnson said "he should scarcely have regretted his journey" to Scotland, "had it afforded nothing more than the sight of Aberbrothick." The taste for church architecture had not then revived among us; and Johnson's was only an impression which would have been produced by the associations of any ancient ecclesiastical structure.

It is not in Protestant Britain alone that it requires some reflection to appreciate fully the station filled of old by the inmates of our greater monasteries. In the Roman Catholic countries of modern Europe, it is hardly less difficult to call up the days when the clergy, secular and regular, engrossed all the learning and accomplishment, and a large share of the wealth, luxury, knowledge of the world, and social influence of the community. It is to be remarked, that in Scotland, as in other countries, while the secular or parochial clergy were often the younger sons of good families, the convents of monks and friars were recruited wholly from the lower classes; and yet—not to speak of the daily bread, the freedom from daily care, all the vulgar temptations of such a life in hard times—the career of a monk opened no mean path to the ambitious spirit. The offices of the monastery alone might well seem prizes to be contended for by the son of the peasant or burgess, and the highest of these placed its holder on a level with the greatest of the nobility.

The Lord Abbot of such a house as Arbroath, whether bearing crosier and mitre, or buckling on more carnal



armour, whether sitting in the high places of Council and Parliament, or taking homage and dispensing law among his vassals and serfs, or following his sovereign to battle, was, in virtue of his social position, his revenues, his followers, and actual power, by far the greatest personage of the shire.

The Abbey was toll free, that is, protected against the local impositions which of old beset all merchandise; and the Abbot vindicated the freedom of his "men" against the exactions of the Bailies of Dundee, who had presumed to levy a penny from his stallinger in the fair of their burgh. It was custom free, and passed its exports of wool, hides, tallow, salmon, by virtue of its own coket. But the privilege the Abbot most valued (and intrinsically the most valuable), was the tenure of all his lands "in free regality," that is, with sovereign power over his people, and the unlimited emoluments of criminal jurisdiction. In 1435, the Abbot, in virtue of that right of regality, compounded with Andrew of Lychtoun, and granted him a remission for the slaughter of James Gibsoun. Long afterwards—after the Reformation had passed over abbot and monk, the lord of regality had still the same power, and the Commendator of Arbroath was able to rescue from the King's Justiciar, and to "repledge" into his own court four men accused of the slaughter of William Sibbald of Cair—as dwelling within his bounds (*quasi infra bondas ejusdem commorantes*).<sup>1</sup>

The officer who administered this formidable jurisdiction, was the Bailie of the Regality, as he was usually

<sup>1</sup> Pitcairn's *Criminal Trials*, 1570, p. 16.

styled, or “Justiciar Chamberlain and Bailie,” as his style ran when, in 1485, Abbot Lichtoun conferred the survivorship of the office on two Ogilvies. At that period, whatever may have been the case at the time of the battle of Brechin, the Bailyary had become virtually hereditary in the family of Airlie.

The Mair and Coroner of the Abbey (the “Dereth” was perhaps the same office in Celtic speech) were the executors of the law within the bounds of the regality. Each office had lands attached to it, affording part of the emolument of the officer. The office of Judex, Deemster or Dempster in the Abbot’s court, was in like manner attached to a portion of the lands of Caraldston (deriving their name from that Keraldus who first held the office), and passed with it through the hands of the Earl of Crawford and later owners, down to the abolition of heritable jurisdictions.

The best of the shire and of neighbouring districts, thought it no degradation to hold their lands as vassals of the great Abbey. Record was made of the homage done by those barons to the Justiciar of the Regality,—kneeling on the ground with hands joined. For the most part they gave suit and service in the Abbot’s court, and such other services as vassals of old really performed to their superiors. Many were bound to give agricultural service, harvest labour, and carriage of corn, wool, wood, peats, and slates. But military service exempted from prædial service ; and when a vassal was bound to follow the Abbot to war, either with the northern lords, under the Brecebennach—the Banner of

Columba—or under the proper standard of the Abbey itself, he was free from the common duties owed to the superior.<sup>1</sup>

We have little information of the early history of the burgh of Arbroath. With such protection for shipping as its natural harbour afforded, it had grown up under the shelter and protection of the great monastery, from a fishing hamlet, till it became a place of some foreign trade in the fourteenth century. The worthy Abbot John Gedy, saw the advantage that would arise to his town and the whole district, if, on that inhospitable coast, he could transform the creek among treacherous rocks into a tolerably safe harbour; and the covenant made between the Abbot and the burgesses for that object, on the 2d of April 1394, as it is the oldest, is also perhaps the most curious and interesting of the records of harbour-making and also of voluntary taxation in Scotland.<sup>2</sup>

<sup>1</sup> *Et quia dictum Jacobum Guthrie equitare nobiscum onerare intendimus, eundem ab omnibus husbandorum oneribus relaxamus, excepto quod ducet tegulas a lapicidulo ad monasterium quemadmodum alii husbandi.*

<sup>2</sup> The indenture sets forth the innumerable losses and vexations long and still suffered, for want of a port where traders, with their ships and merchandise, might land. On the one part it is agreed, that the Abbot and convent shall, with all possible haste, at their expense, make and maintain, in the best situation according to the judgment of men of skill, a safe harbour (*portum salutarem*) for the burgh, to which and in which ships may come and lie, and have quiet and safe mooring, notwithstanding the ebb and flow of tides. The burgesses, on the other hand, are to clear the space

fixed on from sand and stones and all other impediments; to fill with stones and place the coffers (*archas*) required for the harbour, under the direction of the masters of the work; to find certain tools necessary for that purpose, namely, spades, iron pinches, and *tribulos* (?), at their own expense; the other instruments to be found by the Abbey. And because, in the foundation of the harbour, much labour and expense are required, more than the burgesses could bear, the burgesses shall pay to the Abbot yearly, three pennies of sterling from each rood of land within the burgh, in addition to the three pennies now paid,—the additional rent beginning the first year that one ship can safely take the harbour, and there have safe berth, notwithstanding the ebb and flow of the sea. If it should happen, as God forbid,

The Abbey church and conventual buildings—began in 1178 ; sufficiently advanced in 1214 to be the burial-place of their royal founder ; and probably completed in 1233, when the church was dedicated<sup>1</sup>—were not allowed to decay through age, and the gradual operation of time and the elements. They suffered more than once by fire. Fordun relates, that in the deadly year 1272 (when the land was barren, the sea unproductive, the air stormy, and when there was sickness among men, and mortality of cattle), on Saturday of the octaves of the Epiphany, about midnight, a violent wind from the north coming on suddenly with hail, blew down houses, smothered those sleeping within, and tumbled down lofty buildings ; and that fire breaking out in consequence, burnt the church of Arbroath, and many others.<sup>2</sup> Boece, as usual, adds some circumstances. Not only were churches and houses everywhere thrown down, but the church towers were burnt, and the bells (*quæ preciosissima materia conficiuntur*) partly broken, partly melted. Among which the most remarkable were those which hung in the towers of the church of Arbroath, which church was consumed along with them.<sup>3</sup>

A century later, in 1380, the chronicler informs us that the monastery of Arbroath was again accidentally burnt.<sup>4</sup> It was on occasion of this fire (the origin of which was ascribed to the Devil himself) that the Dio-

that the harbour in process of time fail, by negligence of the Abbot and convent, or any accident, the payment of the three pennies shall cease till the harbour be repaired.

<sup>1</sup> In that one spring were dedicated

the three great houses of Arbroath, Newbattle, and Cupar.

<sup>2</sup> *Scotichronicon*, x. xxx.

<sup>3</sup> *Boece*, 1st edition, fol. 302.

<sup>4</sup> *Fordun*, xiv. xliv. *Extracta e Chronicis*, 149.

cesan authorized the Abbot to distribute the monks of the convent among other religious houses until their own church should be repaired in the roof of its choir, the nave, and the transept (?), (*in chori tectura, in nave et cruce.*) Vigorous measures were also taken for levying funds for these repairs, and for applying them to that purpose exclusively. The Abbot was enjoined to restrain his own expenses, to receive no guests, but to live solitary and privately in his own chamber. Each monk was to be content with twelve marks yearly for food and clothing. The contract with the plumber, which is fortunately preserved, for "theking the mekil quer with lede,"<sup>1</sup> favours a supposition that the injury was partial, and the fire had consumed only the woodwork of the roof of the choir. All that portion of the church is now gone, but the lower walls of the nave and parts of the transepts which remain, show a style of architecture considerably earlier than the fire of 1380.

The situation of the Abbey exposed it to other dangers. On the shore of the German Ocean, it lay open to the inroads of an enemy always powerful at sea; and on the other side, its undefended wealth made it an object of contention to the fierce lords who ruled between the Tay and the Grampians. In 1350, the Bishop of St. Andrews

<sup>1</sup> The indenture is interesting as showing the condition of the workmen of the time. The contractor, William of Tweeddale, plumber, burgess of "Andirstoun" (St. Andrews), is to thatch the great choir and gutter it all about with lead, and after it is aluryt (*parapeted*) about with stone, he is to dight it about with lead sufficiently, as his craft asks. For this work he is to have twenty-five marks

and a gown with a hood. The Abbot is to find all the graith, apparently including the lead, and the plumber to have threepence and one stone of each hundred for his travel in fining. Each working day he is to have a penny to his noynsankis (luncheon). The contractor and the Abbey are each to provide a labouring man at their own expense till the work is ended.

recorded that "the church of the monastery of Arbroath, placed on the brink of the sea, had suffered almost irreparable injuries from the frequent onslaught of the English shipping."

We may readily conceive, without proof of record, that the Abbey buildings suffered no less damage in affrays of their landward neighbours. Such, for instance, was that "discord quhilk fell betweine [the Lindesays and the Ogilvies] for ane meane bailiarie of Arebroath, quhilk pertenit to Alexander Lindsay; bot Alexander Ogilvie, quhidder it cam of his awin ambitione or if it was the Abbottis pleasour it is not certain, usurped the bailiarie to himselfe and put this Alexander fra the same."<sup>1</sup> The "discord" was in the winter of 1445, and is thus summarily noticed by a contemporary who cared for neither faction :—

"The yer of God M.CCCC.XLV. the XXIII day of Januar, the Erll of Huntlie and the Ogilbeis with him on the ta part, and the Erll of Craufurd on the tother part, met at the yettis of Arbroth on ane Sondag laite, and faucht. And the Erll of Huntlie and Wat Ogilbie fled. And thar was slane on thair party, Schir Jhon Oliphant lard of Aberdalghy, Schir William Forbes, Schir Alexander Barclay, Alexander Ogilby, David of Aberkerlach, with uther syndry. And on the tother part, the Erll of Craufurd himself was hurt in the field and deit within viij dayis. Bot he and his son wan the feild and held it, and efter that, a gret tyme, held the Ogilbyis at great subjecioun, and tuke thair gudis and destroyit thair placis."<sup>2</sup>

<sup>1</sup> The writer is not impartial where a Lindsay is concerned.—*Pitcottie*, p. 53.

<sup>2</sup> *Auchinleck Chronicle*.

It is said the Abbey church was again burned on this occasion, and not improbably. We know not if the Abbey escaped an attack planned against it a century later, on 17th April 1544. The Lords of the English Council reported to King Henry VIII., that Wyshart, among other enterprises, undertook that a body of troops to be paid by the English king, "joining with the power of the Earl Marshall, the Master of Rothes, the laird of Calder, and others of the Lord Gray's friends, will take upon them . . . to destroy the Abbey and Town of Arbroth, being the Cardinal's, and all the other Bishops and Abbots houses, and countries on that side the water thereabouts." Henry, who was very wroth against the Cardinal, gave them all encouragement "effectually to burn and destroy."<sup>1</sup>

Notwithstanding those partial conflagrations, and all the injuries of foreign enemies and rough neighbours, the Abbey of Arbroath maintained its pre-eminence as among the first if not the greatest of Scotch religious houses, from its earliest period down to the Reformation. "Erant autem," says a historian of the fourteenth century, "duæ in Scotia famosissimæ abbatix, in facultatibus opulentissimæ et in ædificiis munitissimæ, Abrebredoc et Domfermelin."<sup>2</sup> It was in the spacious buildings of this great monastery that Robert Bruce, in April 1320, assembled the Parliament which asserted in such vigorous language, in their letter to the Pope, the freedom of their country. In 1470, we find a new *dormitorium*

<sup>1</sup> *Leland's Collectanea*, i. 269.

<sup>2</sup> *Hamilton Papers. Mailland Miscell.* iv. 96.

building, with timber brought from Norway ; and in the year 1488, it is incidentally noticed, the Abbey entertained the king and his suite twice, the archbishop thrice, besides visits of the Lords of the Realm, and other hospitality kept.

The scattered fragments of the monastic buildings which still remain, disguised and injured as they have been by injudicious repairs, furnish specimens of nearly every style of architecture, from the era of the dedication of the Abbey down to the century which preceded the Reformation. They are now kept in decent condition, and protected from further dilapidation.

Within the church of this great monastery, William the Lion chose his place of sepulture, and there, on the 4th of the Ides of December 1214, he was buried before the high altar,<sup>1</sup> in presence of his successor and a vast assemblage of the nobles of Scotland. With national irreverence, the good and great monarch's tomb was neglected and dishonoured, probably even before the Reformation, since which time it has lain hid under the ruins of his favourite Abbey, till—six hundred years after his interment<sup>2</sup>—the workmen employed in clearing the area of the church from rubbish, came upon a tomb, which from its situation in the chancel in front of the high altar place, was at once judged to be that of the great founder. The coffin, of stone, was found to contain only a portion of the bones of a man of good stature, not much decayed. Its cover, of a blue shelly

<sup>1</sup> *Ante majus altare.* — Fordun.

<sup>2</sup> 20th March 1816. *Montrose Courier* of 29th.



marble, had upon it some mutilated sculpture.<sup>1</sup> It was hoped that the head and other fragments of the monument might be found, but none have as yet been discovered.

At the same time was discovered (in one of the western towers) a mutilated figure of a crosiered ecclesiastic, of the fine sandstone of the district. It is one of those effigies which stood under the niches that ornament all our older churches, and is of good workmanship for that purpose. The lace, especially, is very elaborate and sharply wrought, and when first discovered, still preserved some remains of the gold leaf with which it had been ornamented. It is commonly said to be the statue of St. Thomas à Becket, the patron, but on no better grounds than the recumbent monument is ascribed to the founder of the Abbey. The latter, indeed, has some circumstances in favour of the identification, though it must be confessed its position in front of the high altar might suit equally well for one of the old Earls of Angus or other munificent benefactors of the Abbey.

The Registers of Arbroath are not so rich as some others in subjects of interest to the general antiquary. A few illustrations of old life, however, do occur, and are always welcome.

The Abbot, on account of the perils of crossing the sea

<sup>1</sup> The monument is of fine workmanship, and quite unlike any other in Scotland. At the feet is a lion, or some such heraldic beast. The robe is simply and gracefully draped, and the waist girt with a narrow belt, to which is attached a pouch or purse. Small figures, at least four in number, and having the

spurs and apparently the arms of knights, are engaged in arranging the robe of the principal figure. These diminutive attendants, which form the chief peculiarity of the monument, recall in some degree the attendant saints on the tomb of King John in Worcester cathedral.

to St. Andrews, obtained from Rome the privilege of conferring minor orders, and consecrating the furniture of the altar.

The much-vexed claim of *Subsidy* was virtually enforced against the monastery by both diocesans—the Bishops of St. Andrews and Brechin—though resisted, and paid under protest.

Herrings in salt and in barrel are paid as rent from Inverness, as if they were not then found off the Arbroath coast.<sup>1</sup>

For a permission to take bait from the shores of Monifieth, the white fishers of the north ferry of Portincraig (Broughty) paid for every day's fishing of each small line six white fish.<sup>2</sup> Several documents show the jealousy with which the rights of sea fishing were protected, at a time when it is commonly supposed the produce of the sea was not yet appropriated.

Notices are found of early banking, and something resembling foreign bills of exchange.

I have met with only one notice of books, which were volumes of Canon Law, evidently of much mercantile value.

The only recorded covenant with a schoolmaster for instructing the novices and young brethren, is unfortunately silent as to the branches of learning they were to be taught. Mr. Archibald Lamy, the pedagogue, has ten

<sup>1</sup> *Cum contigerit per Dei gratiam alleluia venire . . . dictus d. W. 10,000 alleluia partem in sale, partem in barellis dabit, in statu bono.*

<sup>2</sup> The covenant is curious in other re-

spects. The Abbot was bound not to receive Lavel's, and Lavel not to receive the Abbot's fishermen—an attempt to extend to the fishermen a part of the law which bound colliers and salters to the soil.

marks of salary—the customary and almost legal stipend of a parochial vicar—besides his daily portion with the monks.

The “Advocate” of the Abbey, receiving a yearly pension of twenty marks for his counsel and “advocation,” was no less a personage than Master James Henrison, the Clerk of Justiciary, or, as we write the office, Lord Justice-Clerk.

The supplication and complaint of Abbot Malcolm to Parliament and Convocation, must have been drawn by a less practised hand. It is a very curious specimen of untechnical legal pleading as well as of idiomatic Scotch language and old customs.<sup>1</sup>

We owe to David Betoun, on his first coming into the Abbacy, some rules for its economy, which show the yearly consumption of all supplies by the convent. The monks used annually 800 wedders, and 9 score of marts, besides lamb and veal, swine, grice, and chickens; eggs and butter; dried fish (keeling, haddock and spelding), large supplies of fresh sea fish, and 11 barrels of salmon, the produce of their fishings at Dundee, the Ferry (Broughty), and Montrose. The allowance of wheat was 30 chalders, of oatmeal 40 chalders, and of malt 82 chalders. The officers are rebuked for negligence in letting the convent want provision, “sen God, of his grace, has given the place largely to live upon.” The Abbot found that the “estimate” of expenditure exceeded the charges of the old cellarer in 1488, which were but

<sup>1</sup> See Appendix. The *guerdela*, though without date, is fixed by the Abbot's name, between 1456 and 1470.

£500, though in that year "the Kingis hienes was heir twys; the Archebischop thris, and the lordis of the realme and al otheris hospitality kepit."<sup>1</sup>

But the real and paramount interest of a monastic Register, is in furnishing directly or collaterally what may be considered the territorial history of the province. There is hardly a barony in Angus and Mearns which does not receive illustration from the records of Arbroath; scarcely a family of note which must not seek its early history among the transactions of the great Abbey. The more ancient volume is said to have disappointed the gentlemen of Angus, who expected to have found ancestors of their own names there chronicled. They had not considered how many of our ancient families went down in the War of Independence; how few of our present aristocracy trace back beyond the revolution of families and property which took place under Bruce. The great old Earls of Angus, Fife, and Strathern, are little more than mythological personages to the modern genealogist. The De Berkeleys, De Valoins, De Malherbes, Mauleverers, De Montealto, De Monteforts, have not even left their high-sounding names in the country they once ruled. Durward and Cumming, as great as any of them, have fallen into humble life. It is the common case all over Scotland. It is more surprising that some families of the ante-Brusian magnates of Angus still flourish. Lindsay and Ramsay, Ogilvy and Maule, are no ignoble representatives of the old seignory. No such disappointment, however,

<sup>1</sup> It will be observed the Cellarer's department and "charges" embrace only the meat, fish, poultry, spices, &c., leaving to the Granitar flour, meal, and malt.

can reasonably be felt with regard to the later volume. A large proportion of the extant families of the two shires will find their ancestry illustrated in it; and, though Carnegies and Guthries, Burnetts and Irvines, and a few others, need no such help, it may yet come to pass that it will be held a proof of *gentry* in Angus and Mearns to be able to point to an ancestor in the Chartulary of Arbroath.

#### KELSO.

No other spot of Scotch ground has witnessed such changes as the river bank where Teviot falls into Tweed. A town once stood there, of such importance as to form one of that remarkable Burgher Parliament, known as "the Court of the Four Burghs of Scotland," of which not a house, not a trace, remains. Still earlier, and long before the kindred people dwelling on the opposite sides of the Tweed had learned to look on each other as aliens and enemies, the great Princes of Northumberland had built a castle there, which became a favourite dwelling of Earl David, afterwards King David I. Before his accession to the throne, while Prince of Cumberland, and of a large district of southern Scotland, as well as after he became king, and while he ruled in peace all Northumbria to the Tees,<sup>1</sup> that prince found Roxburgh a central and convenient residence. Even after southern North-

<sup>1</sup> The English chroniclers, painting vividly the distractions of southern England during Stephen's reign, in the middle of the twelfth century, describe the

northern region, all beyond the Tees, as enjoying undisturbed peace and prosperity under the authority of David of Scotland. - *Bromton*; *W. Neubr.*

umbria had been severed from Scotland, the castle continued one of the chief royal residences, where courts and councils and parliaments were held, ambassadors and legates were entertained, and a royal mint was established, during the reigns of David's grandsons, and down to the end of that long period of prosperity and peace which terminated for Scotland with the reign of King Alexander III.<sup>1</sup> That old importance has left a traditionary and romantic interest about Roxburgh, which has survived its towers and walls, and the very memory of its actual story and of its share in the disasters of later times; and the same association which led the unfortunate prince, whose father fell in assaulting the castle, to adopt the name for one of his heralds, and his chivalrous son to blazon it around his shield,<sup>2</sup> still attaches to the green mound which the Teviotdale peasant shows as the site of "the Castle of Marchmound."

While the baronial castle and the guilds of free burghers were each contributing their share in the great work of civilisation, under princes like David and his successors, the foundations were laid of other institutions still more influential, and destined to be more enduring. As if foreseeing that his favourite valley was to become, in later times, the field of arms for two warlike nations,

<sup>1</sup> David received the cardinal-legate, John of Crema, at Roxburgh, in 1125, and there convened a council of the clergy. "Raul of Roxburgh" was moneyer of much of the Scotch currency of William's reign. At least four parliaments or great national councils were held at Roxburgh during the reigns of Alexander II and Alexander III. *Act. Scot. i.*

<sup>2</sup> Although our books of heraldry tell

us nothing of the matter, it would seem that the chivalrous styles of our Scotch Herald and Purvisers—*Stewardess, Albany, Earl, Balthasar, Marchmound, Bay, Carrick, Kintyre, Ormond, Bute*—were introduced by King James III. James IV's reign has the name *Marchmound* on a scroll over the shield of the arms of Scotland.

the wise David had restored ancient, or planted new monasteries thickly over Teviotdale, which were not only to spread the blessings of religion, and in part to tame the rough Borderer, but were destined to afford him sometimes an asylum and support, when war had wasted all that was not under the protection of the Church.

At length, the abbeys too were swept away, when they had fulfilled their destiny ; and the effect produced by the suppression of such houses as Kelso, Jedburgh, Melrose, and Dryburgh, after four centuries of power, was more than had been experienced from the razing of the royal castle, and the utter disappearance of the flourishing city.

The period of our investigation embraces no less remarkable changes in the population of that district. When the light of record first breaks upon it, we can discern dimly, but with sufficient certainty, a native race retreating or sinking into dependency before the influx of predominating strangers of Saxon and of Norman lineage. These new settlers figure for some centuries as the feudal lords of the soil, rivalling the most munificent sovereigns in their benefactions to the Church. With them, as well as with many of their immediate vassals and of those of the Church, we become acquainted in the transactions recorded in the monastic Registers. We find evidence, also, of the early importance of a burgher class, and of the wealth of many merchants, burghesses of Roxburgh and still more of those of Berwick, a place which, before it became the unhappy subject of contention and war, carried on the most extensive com-

merce of any port on the eastern coast of the island, always excepting London.<sup>1</sup> Of the condition of the peasantry we have incidentally some information, though more of the kindly tenants under the easy rule of the Church than of the husbandmen and villeins who tilled the land of the lay lord and followed him to battle. But long before the end of our period, the great lords who once bore sway on the marches, the Earls of Dunbar, the De Morvilles, Balliols, Ranulphs, De Vescis, Cumins, De Sulis, and Avenels, had, in their turn, died out; and, for some centuries, the distracted state of the Borders seems to have been adverse to the rise, on firm footing, of any great families in the district. Even the Church could scarcely hold its own in a time so stormy, and there was no very dominant aristocracy at all to rival it, in that district, from the period of the war of the succession to the time of its downfall.

In the meantime, however, the disturbed state of the Border had given birth to a population not more remarkable in its early stages, than for the adaptation to varying fortunes through which it has arrived at its present condition. The lower class of that population has furnished subjects for the old minstrels who created the popular lays and ballads of Scotland; and our great Minstrel has thrown round them the romantic colouring of his poetry. But though we may not take their picture of the stark moss-trooper of the old Border days without abatement, we

<sup>1</sup> Note to Tytler's *History*, II. — An old chronicler describes Berwick as "a city of such populousness and commerce that it might justly be styled a second Alexandria, 'whose riches were

the sea, and the waters its walls.' In those days its citizens being most wealthy and devout, gave noble alms, among which," etc. — *Lanercost*, A.D. 1260.



have there the marked features of his character, and cannot fail to observe his hardy but plastic nature accommodating itself to better times ; till the Borderer who, in the times they loved to dwell upon, would have been sung as the most daring “ lifter ” of an English drove, is noted only as the hardiest shepherd or the stoutest husbandman among a peasantry and yeomanry that may well bear a comparison with any.

The progress to civilisation was still more remarkable in the upper class. The rough leaders of those Border hordes—“ gentle,” undoubtedly, after the style of Scotland, but not in general men of noble family, acquired consequence at first by the command of the readiest lances for any expedition that wanted their service. But in process of time (when the old churchmen had gone down, who formerly did the business of envoys and mediators), those illiterate captains were forced into a kind of diplomacy and management of international affairs, from their very contact with their neighbours on the English side. From the same cause, they were of necessity employed in the mixed military and judicial office of Warden of the Marches ; and in emergencies that often called for a ready hand as much as a cool head, their hardy nurture bore them bravely upwards. They rose through all commotions and all changes of parties. In the troubled times that succeeded the Reformation, church lands were ready for rewarding their service ; and when the time of tranquillity came, it found the children of adventurous leaders of a few troops of Border lances, not only among the old nobility, but

taking their place, without effort, among the foremost rank of the nobles of Scotland.

It was in 1113, during the period of the consequence and prosperity of Roxburgh, that Earl David, the heir-presumptive of the crown of Scotland, brought a little colony of thirteen reformed Benedictine monks from the newly founded abbey of Tiron, in Le Perche, and planted it beside his forest castle of Selkirk.<sup>1</sup> He endowed them with large possessions in Scotland, and a valuable territory in his southern earldom of Huntingdon; but the French monks were dissatisfied with their position on the banks of the Ettrick; and upon David's accession to the throne of his brother, he removed them from Selkirk—"a place unsuitable for an abbey"<sup>2</sup>—and established the monastery "at the Church of the Blessed Virgin on the bank of the Tweed, beside Roxburgh, in the place called Calkou."

The Abbey was dedicated to the Virgin and St. John the Evangelist. The first Abbot was Ralph, one of the French monks. The Scotch chronicles record that he succeeded St. Bernard, the reformer of the Order, who died in 1116, in his abbacy of Tiron; which, however,

<sup>1</sup> Simeon of Durham. 1113 is most probably the true date. The Chronicle of Melrose records the foundation of St. Bernard's monastery of Tiron in 1109, and it joins to that a memorandum (but without date) that Ralph was sent from thence, and became the first abbot of Selkirk. Fordun, who is here following the Chronicle of Melrose, appears to have mistaken the entry, and asserts that the Tironensian monks came to Selkirk in

that year, a statement, not only against probability, but contrary to his authority, the Chronicle of Melrose, which places the coming of the Tironensian monks into this country in 1113. *Anno M.C.XIII. monachi Tyronenses venerunt in patriam istam. - Chron. de Mailr. Fordun, v. 36.*

<sup>2</sup> *Quia locus non erat conveniens Abbatie.*

can scarcely be reconciled with the succession of abbots as given by the French writers.<sup>1</sup>

Writing for the general reader, it is necessary to pass at once over all those minute particulars of local antiquities, which form the chief interest to the intelligent people of the district. The ancient names of places ; the boundaries between farms, settled by Saint David in person ; the sites of ancient churches, chapels, castles, granges, now ruined and forgotten ;—all those marks of the advances of early civilisation, in which the Abbey Register abounds, must be left for those who have the advantage of local acquaintance, and the opportunity of reading the charter upon the ground to which it bears reference. The time must come, when the gentlemen of Scotland will take an intelligent interest in the antiquities of their own districts ; and our scholars will be ashamed to know less of the colonizing and early history of Scotland than they do of Greece or Italy. All that can be attempted here, is to notice a few points of more general interest or curiosity, either illustrated or suggested by the ancient muniments which form the Register of the Abbey of Kelso.

A charter of Richard Cumyn, the first of that great name in Scotland, records a donation of the Church of Linton-roderick to Kelso, for the weal of the souls of Earl Henry, his lord, and of John, his own son, “*quorum corpora apud eos tumulantur.*” The Earl Henry, whose place of interment is thus recorded, was the son of David I., who predeceased his father, dying in 1152.

<sup>1</sup> *Gallia Christiana*, VIII.

By his wife Ada, daughter of William Earl Warenne, he left three sons, Malcolm and William, who in succession filled the throne, and David Earl of Huntingdon, the ancestor of the later sovereigns of Scotland. Lord Hailes has alluded to an unaccountable assertion, which runs through some of the chronicles, that Earl David was older than his brother William.<sup>1</sup> The reason assigned for David being set aside is, that he was absent when the succession to the throne opened by the death of his brother Malcolm ; but the report is put upon a different footing by the Chartulary of Newbattle, where, upon a charter of King Malcolm iv., witnessed by his brothers William and David, and their mother, it is noted, “*hoc est contra eos qui dixerunt, de tribus filiis comitis Henrici, videlicet Malcolmo Willelmo et Davide, ipsum Davidem fuisse primogenitum ;*” showing that the report, however groundless, went to raise David to the head of the family.

Some historical interest attaches to the grant by Malcolm iv. of the church of Inverlethan. Lord Hailes used this charter for refuting the fable of the chroniclers, of Malcolm’s vow and practice of chastity ; the king himself giving as a reason of his grant, that his son’s body lay in the church of Inverlethan the first night after his death. The charter is remarkable on another ground. For the cause already mentioned, the king grants to Inverlethan a right of sanctuary, as fully as was enjoyed by Wedale or Tynningham.

But while our early monarchs were thus ready to aid

<sup>1</sup> *Annals*, 1152, quoting Wyntoun and Fordun.

the Church in mitigating the violence of a rude age, they were prepared to withstand any assumption of jurisdiction that put in peril the entire independence of the Crown. On occasion of a Papal commission granted to an English and a foreign churchman, for trying an action against the Abbey of Kelso, King Alexander II. promptly interfered, and prohibited the commissioners from proceeding, while he intimated that anything done by them could have no effect. The king conceived he set forth a sufficient ground for that step when he cited the Papal privilege, "that causes originating in our kingdom shall not be drawn before other judges beyond the kingdom." It was not his intention to question the right of appealing to Rome, which was especially reserved in the bull founded upon.<sup>1</sup> Still less was it necessary now, as his forefathers had done,<sup>2</sup> to assert that as an indefeasible right which the Papal commissioners would respect more as a Papal grace.

After the monkish fashion of copying into their register whatever excited their particular interest, whether connected immediately with the affairs of the monastery or no, we have in our Chartulary a fine contemporary copy of the famous deed of Edward III. and his council, in Parliament, renouncing all claim of superiority over Scotland.<sup>3</sup> This deed was formerly a subject of great

<sup>1</sup> The privilege runs against removing suits—*nisi ad sedem apostolicam, pro hiis duntaxat negotiis quæ in regno commodè terminari non possunt.*—*Bull of Urban III. Reg. Glasg.* 69.

<sup>2</sup> *Hailes*, 1181-1188, and the Papal bulls in the chartularies.

<sup>3</sup> It is imperfect. The conclusion giving the date (1st March, *an reg.* 2), and the authority of the English commissioners to make oath for their king, are here wanting.

dispute, and apparently even of doubt. The Parliament of Scotland directed a transumpt, or authoritative copy of it, to be made for preservation, so lately as 1415. An old English chronicler, who gives the words of the deed faithfully enough (with the exception of the solemn authentication—*By the King and Council in Parliament*), adds, as a palliation,—we fear rather of Edward's granting such a recognition, than of his violating it—*“sed notandum quod hæc notanda acta sunt anno ætatis sue decimo sexto.”*<sup>1</sup>

It may surprise some readers to find a charter bearing the style of John, King of Scots, and dated the tenth year of his reign. John Balliol, whose reign dates from his coronation in November 1292, is generally said to have resigned his kingdom to his liege lord, Edward, in July 1296. The Scotch Envoy at Rome in 1300 formally denied that transaction, and asserted that Edward, after sending Balliol into England to prison, used the seals, which he had taken forcibly from the Chancellor, for fabricating the letters of resignation.<sup>2</sup> He maintained that John was still King of Scotland; and, whatever may be the truth with regard to Edward's forging Balliol's resignation, it was then the policy of Scotland, in its desperate struggle, to put forward the unhappy John as its rightful king. We accordingly find Wallace in 1298, while taking himself the style of “Guardian of Scotland,” acting “in the name of an illustrious prince,

<sup>1</sup> *Lanercost*. The words forming the conclusion of the deed in the Parliamentary transcript, *per ipsum Regem et concilium in parlamento*, may have been

written apart from the body of the deed. —*Act. Parl.* i. 226.

<sup>2</sup> *Fordun*, xi. 63, quoting the pleading of Baldred Bisset, the Scotch Envoy at Rome.

John, by the grace of God King of Scots ;”<sup>1</sup> and, in the following year, the Bishop of St. Andrews, the Earl of Carrick, and John Comyn, then Guardians, use the name of the king in the same manner.<sup>2</sup> We here find that Sir John de Soulys, the Guardian, continued to set forth the style of the degraded and forgotten King John so late as the year 1302.

Another series of these charters is of some historical interest. It appears that, under the doubtful sovereignty of David II., during his English imprisonment, a certain Roger de Aulnton founded a chantry in the church of St. James of Roxburgh, which he endowed with the lands of Softlaw in Teviotdale ; and, on the same day apparently, granted two several charters regarding it ; the one running—“for the soul’s weal of a most excellent prince, my lord David King of Scots ;” the other, for the weal of “my lord King Edward of England.” These charters seem to have been each presented for confirmation to the sovereign commemorated in each ; and a confirmation, engrossing Roger’s charter at length, bears to be granted by David “at Inverkeithin, in our council there held, on the first day of April, the year of our reign the twenty-fourth, and A.D. 1354 ;”<sup>3</sup> while Edward’s confirmation of the grant is in a charter under the great seal of England, dated “at Berwick on the first day of May, the year of our reign, of England the twenty-eighth, and of France the fifteenth,” *i. e.*, May 1, 1354.

<sup>1</sup> *Act. Parl.* i. 97.

<sup>2</sup> *Ibid.* 98.

<sup>3</sup> It is now well known, that in all documents *after* his return from England, the regnal years of David II. are

stated one year short of the truth. These charters show that this discrepancy between the years of his reign and the years of our Lord, existed also some time *before* his return from captivity.

These dates, in both instances, occur in duplicate, and we cannot, without much violence, presume an error of the record. It would appear, however, that in neither case can the Sovereign have been present at the granting of the charter which passes in his name and under his seal. We have no other evidence, nor any notice by historians, of the imprisoned David having attended a council at Inverkeithing in April 1354; and Edward was undoubtedly at Westminster on the 1st of May of that year. But at that period, and for long after, the English practice agreed with that of Scotland; and, in both countries, the king was believed to be where he attested his charter.<sup>1</sup> The terms of the English confirmations are also remarkable. They set forth Edward's usual style of "King of England and France, and Lord of Ireland," while the subject-matter is wholly Scotch. It would seem as if the English monarch considered Teviotdale, at that time, as part and parcel of England.<sup>2</sup>

It is scarcely of less than historical interest to endeavour to ascertain the early history of the family of Douglas; a race which, in two or three generations of remarkable men, rose so high as to send its future chroniclers into the region of romance to seek for a suitable origin.

Later writers, willing to escape from palpable fables, sought for proofs of the Douglas origin in the Kelso Chartulary. Mr. Chalmers lays it down as demonstrated by

<sup>1</sup> This presumption ceased after the eighteenth of Henry VI.; subsequent to which, the place where an English crown charter is dated affords no proof that the king was present.

<sup>2</sup> It will be observed that one of the

witnesses, John de Coupland, the hero of Neville's cross, is set forth in Edward's charter as *vicecomes noster de Roxburgh*; as if he considered Roxburghshire actually an English county.



him, that the lands of Douglas, the ancient family estate, were first granted to a certain Theobaldus, a Fleming; and that his son William, in the end of the twelfth century, first took the territorial name of Douglas.<sup>1</sup> In both positions he seems to be mistaken. The lands granted by the Abbot to Theobald, though on the Douglas water, appear, after the minutest inquiry into their boundaries, not to be a part of the ancient territory of Douglas;<sup>2</sup> and there is no proof, nor any probability, of William of Douglas of the twelfth century, the undoubted ancestor of the family, being descended of the Fleming who settled on the opposite side of his native valley.

The materials of the early history of the Parliament of Scotland are so scanty, that it was to be expected our constitutional lawyers should not overlook the fragments of Parliamentary styles which have been preserved on the blank leaves of the Kelso Register. These are a series of slightly varying forms of proxies to Parliament, running in the names of Abbots Patrick and William of Kelso, and of a certain J. de H., a lord of that ilk, and, as a free tenant of the Crown, bound to give suit and service in Parliament. From the handwriting and style of these writs, they may be safely ascribed to the time of Patrick and William, successively abbots in the beginning of the fifteenth century;<sup>3</sup> and we may be allowed to conjecture

<sup>1</sup> *Caledonia*, i. 579; followed by Wood in his Peerage.

<sup>2</sup> If it shall be thought that the charters, of Polnele in 1267-70, convey the same lands, granted a century before to Theobaldus Flamaticus, it would follow that the Douglasses were not in the pos-

session of the land of his grant, till acquired by Sir William in 1270.

<sup>3</sup> Wight, in his *Enquiry into the Rise and Progress of the Parliament of Scotland*, has mistaken the age of the only one of these which he has used. His argument in support of its being of the

that one, in which the Abbot sets forth sickness as the cause of his own absence, is of date subsequent to the Act 1425, which required that no members should appear by proxy, "but gif the procuratour alleage there, and prove, a lauchful caus of absens." It will be observed that all these styles substitute two or more procurators for the absent member ; and we find that more than one sometimes actually attended,<sup>1</sup> showing how little the voting was considered, and carrying us back to the times when a seat in Parliament was felt as a burden much more than a privilege.

In the charters of Schottun and elsewhere, we find some references to the marches of the kingdoms, too minute for all but the fortunate inquirer who may trace "the rivulet as it descends by the chapel of Saint Edlered the virgin, and divides between the kingdoms of England and Scotland, close beside Homeldun." The attention of historians and antiquaries has not been sufficiently turned to the actual boundaries of the kingdoms, as they existed at different times. Nothing would be more important for the early history of Scotland than to ascertain what was really comprehended in the province of Lothian ; upon which some light might be thrown by an attempt to fix the successive limits of the Bishopric of St. Andrews ; and it is by no means impossible that a

20th May 1258, loses its last support, when we ascertain that the Patrick of that century certainly was not abbot sooner than September of that year. The mistake has been long ago pointed out, and but little detracts from the merit of a valuable law-book, not making much

claim to record-learning or antiquarian research.

<sup>1</sup> Thus we find Duncan Waleis mentioned in the Parliament of 1369, as "one of the procurators of the Earl of Douglas."—*Act. Parl.* i. 173.

clue to the geography of the much disputed kingdom of Cumbria might be obtained, by exploring the boundaries which separated the jurisdictions of the Bishops of Durham and those of Glasgow. We have it established on the best evidence the subject admits of, that Edgar of England and his witan yielded the province of Lothian to Kenneth King of Scotland, in the latter half of the tenth century, which led to the permanent incorporation of the Scoto-Saxon lowlands with the kingdom of Scotland proper.<sup>1</sup> Now, along with the kingdom of Northumbria, the patrimony of Saint Cuthbert must have suffered curtailment; and there seem to be more materials for fixing the subsequent limits of the ecclesiastical than of the civil jurisdictions.<sup>2</sup>

Of the Church, its dues and its burdens, and of the life of the clergy, we have scarcely so much information from Kelso as in most of the other chartularies. In a bull,

<sup>1</sup> In A.D. 953-971. Edinburgh had already been evacuated by the English. See the admirable translation of Lappenberg's *Anglo-Saxon History* by Thorpe, and the authorities cited.

<sup>2</sup> The following very curious mandate, recorded in the Registers of Durham, is communicated by the kindness of the Rev. J. Stevenson. It is here printed entire, in the hope that it may excite the attention of some zealous Church antiquary, who will perhaps elucidate the time and circumstances in which it has been issued:—

*Prohibitio T. Archiepiscopi Eboracensis clericis de Teuydale que est de diocesi Dunelmensi.*

*Thomas Dei gratia Eboracensis archiepiscopus Al<sup>o</sup> clerico salutem. Ipse tibi ore ad os prohibui, cum per te crisma et oleum ad Glasguensem ecclesiam misi, ne crisma vel oleum illud dares in parochiam*

*Dunelmensis episcopi. Tu vero illud, contra defensionem meam, in Teueytedale dedisti, de qua ecclesiam Dunelmensem saisitam inveni. Mando igitur tibi et episcopali auctoritate prohibeo et omnibus presbiteris de Teueytedale ne de crimate et oleo aliquod ministerium amodo faciat, nisi per octo dies tantum postquam breve istud videritis, ut interim requirere possitis crisma a Dunelmensi ecclesia que vobis illud dare solita est. Quod si post illos octo dies de crimate quod misi, aliquam christiunitatem facere presumpseritis, a divino officio vos suspendo [donec] dirationatum sit ad quam ecclesiam pertineat. Vultes.*

*Reg. i. Prior. et Capit. Dunelm. fol. 183.* The old annotator on Nennius, quoted above (p. 181), speaks of Wedale as "in the province of Lothian, but now within the diocese of the Bishop of St. Andrews in Scotland."

which seems to be of Innocent IV.,<sup>1</sup> is a curious notice of what was perhaps the earliest shape of dues levied by Rome from the monasteries of Scotland, before the era of either of our ancient taxations of benefices. We have very careful and solemn settlements regarding the share of the Abbey benefices allowed to the working clergy : the privileges of the Mother Church in cases where chapels were tolerated : regarding "procurations," or the visitation dues of the bishop, archdeacon, and rural dean : and fixing that extraordinary exactions were to be borne equally by the rector (the Abbey) and the vicar. The celibacy of the clergy was effectually established by David I. among his other Roman reforms—a change of vast consequence for good and for evil. Its first and best effect was to save the clergy from becoming a hereditary caste. We do not find, within the period of our Register, acknowledged marriages of priests ; nor, as in other church records, proofs of their sons succeeding to their livings. But we have here abundant occurrences of the sons of clergymen appearing along with their fathers, and plainly taking their rank and style from them. About the beginning of the thirteenth century, the Abbot confirmed to John, the son of the Dean of Stobhou, the land of Corroc, which his father had held of the Abbey. The Abbot's words are peculiar—"We receive him as his father's heir."<sup>2</sup>

It may be presumed the convent scribe entered, rather as a model than as having any authority within

<sup>1</sup> The pontificate is gathered partly from the enumeration of the Pope's predecessors, and from the list of the

bishops and kings of Scotland given in the bull.

<sup>2</sup> "In heredem ejus recepinus."

the Abbey territory, the two summonses of the Bishop of Durham against heretics. No register of Bishop Walter Skirlaw is preserved at Durham ; and concerning James Notyngham, Robert Roxburgh, and John Withby, "priests, heavily suspected of perverse and erroneous doctrine, and opposed to the Catholic faith," we may only conjecture that they were some of the clergy imbued with Wycliffe's opinions, which were then beginning to spread in the north of England.

The Register of Kelso affords a great deal of information regarding the occupation of the soil, and the manner of its culture ; and we are enabled to form a tolerably complete idea of the state of the population and the whole scheme of rural life, at least as it existed under the kindly shelter of the Church. We have a glimpse even of the mystery of rents and prices, the value of land and of labour, in Teviotdale in the thirteenth century.

At the period of a Rent Roll engrossed in the Register, or about the year 1290,<sup>1</sup> a great part of their ample lands and baronies were held by the monks "in dominico," in their own hands, and cultivated (by their villeins, doubtless) from their several granges, as at Reveden, Sprouston, Molle, Faudon, Witemer, Witelaw, Bolden. The land so held they measured in ploughlands where arable, and by the number of sheep it maintained where pasture. We must not judge of a plough of the monks by our modern notions, or fill it in our fancy with a pair of quick-stepping Tweedside horses. The Scotch plough of the thirteenth

<sup>1</sup> Lord Hailes, mistaking the date of Abbot Richard's accession, has slightly mistaken the period of the rent-roll. It

certainly was very near the year mentioned in the text. - *Miscellaneous Occurrences*, 1295.

century (and for three centuries afterwards) was a ponderous machine drawn by twelve oxen, whether all used at once, or by two relays ; so that for the five ploughs of Reveden they had sixty oxen ; and we do not wonder at finding pasture for those work cattle set down as a considerable part of the produce. On their land they reared oats, barley, and wheat, as their successors do. They made their hill pasture afford them hay, by removing their sheep from a portion of it at one season of the year. They had wagons for their harvest work, and wains of some sort for bringing peats from the moss.<sup>1</sup> Some time later, the Abbot's wains were usually sent for commodities to Berwick, and had a special resting-place allotted them upon "the bourn bra, south from the vedryng meadow," in the lands of Simpring ; but perhaps that road was not at the time of the rental passable for wheel carriages.<sup>2</sup>

The monks had large flocks of sheep—fourteen scores of ewes in Reveden ; 500 in Colpinhope "beyond the march," with 200 dinmonts ; 300 hogs in Sprouston ; 300 dinmonts in Altonburn of Molle ; 700 wedders in Berehope, which were to be removed for a month in summer, when they were to have pasture in Molhope ; 1000 ewes in Newton ; 300 lambs at Malcarveston, etc.—more than 6600 enumerated, besides "two flocks" of wedders at Witelaw.

<sup>1</sup> The Abbey had from the land of Molle rods for repairing their wagons, as it would seem, though the word is generally used in old Scotch charters for ploughs—*virgus pro reparatione carucarum*.

<sup>2</sup> We find, however, that the venders of fish and other commodities at Kelso, and at the fairs of Roxburgh, brought them thither both in wagons (*quadrigis*) and on horseback, as early as the time of William the Lion.

It would rather seem that the monks did not rear black cattle in considerable number. The oxen mentioned on their pastures were mostly those used in their ploughs. But at Witelaw they had a herd of fourscore cows, and smaller herds in other places ; and they had 60 swine pasturing in Newton.

So early as the twelfth century, the monks had a grant from Odenel de Umfravil, lord of Prudhoe, of the tithe colts of his *haraz*, or stud of brood mares ; extended by his descendants to the tenth colt of the mares which pastured in their forest westward of Cotteneshop. The monks put their brand on those tithe colts, which were then allowed to follow their dams in the Umfravils' forest till they were two years old.

We have here some indications of the previous existence of a system which must, in all likelihood, have been the earliest mode of land tenancy everywhere ; when the occupier of the ground, not yet possessed of capital enough of his own, hired, along with his farm from the landlord, the cattle, seed, and stock, required for cultivating it. This system, which is still remembered among us by the name of *steel-bow*, seems, at the time of the rental, to have felt the effects of a long period of national prosperity, when the tiller of the ground had risen in circumstances, and was enabled to cultivate his farm with his own stock. "Formerly," says the rent-roll, "each husbandman of Reveden took with his land, **Stuht**, namely, two oxen, a horse, three chalders of oats, six bolls of barley, and three of wheat. But when Abbot Richard commuted their services into money, they gave up their

**Stuht**, and each paid for his land yearly eighteen shillings.<sup>1</sup>

As a fair specimen of the rate at which the Abbey tenants sat, we may take the rental of the barony of Bolden, which was considered as the model of the Abbey

<sup>1</sup> Of the word *stuht*, which is here plainly equivalent to "steel-bow goods," it is feared no further explanation can be ventured; and we must rest satisfied with the account given by Dr. Jamieson in the supplement to his Dictionary, who connects it with the Gaelic *stuth*, "stuff." The subject of "steel-bow goods" is interesting to the legal antiquary. Stair describes them as "goods set with lands upon these terms, that the like number of goods shall be restored at the issue of the tack." An early indication of this custom is found in the most curious of Anglo-Saxon law relics, the *Rectitudines singularum personarum* (Thorpe's *Ancient Laws and Inst. of England*, i. 434), where, in the chapter of *Gebures gerihle*—"the boor's rights"—it is thus described—*On tham sylfum lande the theos reden on-slent gebure gebyreth that him man to land-setene sylle 2 oxan & 1 cu & 6 sceap & 7 weccas gesawene on his gyrde landes. forthige ofer that year ealle gerihtu the him togebyrrigean, & sylle him man tol to his weorce & andlaman to his huse. Thonne him forth-silh gebyrige gyme his hlaford thæs he lafe.*—"On that same land where this custom holds, it falls to the boor that there be given to him at the setting of the land two oxen and one cow and six sheep and seven acres sown in his rood of land. (He is to fulfil after that year all the obligations which attach to him); and there are to be given to him tools for his work, and furniture to his house. When death befalls him, let the lord take what he may have left."

Of a custom so ancient and so widespread, it is interesting to observe how remarkably it has retained its *iron* appellation in other languages as well as

our own, in reference, we must suppose, to the *enduring* nature of the cattle or goods *quæ non pereunt domino*. We find them styled *eisern vieh*, *stäbline vieh*, *stäbline fuß*, "iron or steel cattle," in the old German law-books; *bestia ferri*, "beste de fer," in old law Latin and French (*Besold. thesaur.*—Ducange, etc.); and the tenure still known in French law by the name of *Cheptel de fer*. The Code, treating "Du cheptel donné par le propriétaire à son fermier" uses the ancient phrase,—"*Ce cheptel, aussi appelé cheptel de fer, est celui par lequel le propriétaire d'une métairie la donne à ferme, à la charge qu'à l'expiration du bail, le fermier laissera des bestiaux d'une valeur égale au prix de l'estimation de ceux qu'il aura reçus.*"

The Scotch term *steel-bow*, being thus plainly equivalent to the *stäbline vieh*, *bestia ferri*, *stäbline fuß* und *schaafe*, of the continental lawyers; the last member of the phrase is perhaps to be found in the Scotch word *bow*, formerly used for a herd of cattle (from whence *bower* and *bowing*, applied to a particular tenure of pasture land), as the lines of Virgil (*Æn.* vii. 485):—

"Tyrreusque pater cui regia parent  
Armenta et late custodia credita  
campi :

are translated by Douglas—

"Tyrreus thar fader was fee master  
and gyde

Of studdis, flokkis, bowis, and heirdis  
wide ;"

unless we are satisfied with the more general German word *bau*, which may express any sort of *cultivation*; giving as the translation of *steel-bow*, *cultus ferreus*.



lands in regard to services. The monks had twenty-eight husband-lands there, each of which paid yearly six shillings and eightpence of rent in money, and the following services :—

Four days' reaping in harvest, the husbandman with his wife and all their family ; and a fifth day, the husbandman with two other men ;

One day, carting peats from Gordon to the Pullis, and one cart-load (*plaustrum*) yearly, from the Pullis to the Abbey ;

The service of a man and horse to and from Berwick once a year ; and on this occasion they were to have their food from the monastery. (The husbandmen of Reveden were bound each to give carriage with one horse from Berwick, weekly during summer, and a day's work on their return—or, if they did not go to Berwick, two days' tillage). In these services of carriage, a horse's load was three bolls of corn, or two bolls of salt, or one and a half bolls of coals ; or somewhat less in winter ;

To till an acre and a half, and to give a day's harrowing with one horse yearly ;

To find a man for the sheep-washing and one for the sheep-shearing,—these were to be fed from the monastery ;

To serve with a wagon one day yearly, for carrying home the harvest ;

All were bound to carry the Abbot's wool from their barony to the Abbey ; and to find carriages across the moor to Lesmahagow.

In such transactions with the labourers of the soil,

we perceive the chief opening for escape from villenage or hereditary servitude, for which “the air of Britain was too pure ;” and which died out among us without exertion of the Legislature.<sup>1</sup> Whether any ceremony or act of emancipation took place, we cannot now perhaps determine ; but it is manifest that both those classes of tenants were virtually and effectually freed from servitude. The covenant of a limited portion of service implies that the rest was free.

Last of all were the great Church vassals, who held a place only second to the baronage and freeholders of the Crown. These were chiefly in the territory of Lesmahagow. They had their lands free from all service, and (by license of the Abbot) had courts of Bloodwit and Byrthensak, and petty causes.<sup>2</sup> They had “merchet” for the marriages of their vassals’ daughters, and paid to the Abbot “merchet” for the marriage of their own.

In the very earliest of these charters there are grants concerning mills, showing that the system of thirlage was even then introduced ; and their curiously minute regulations of precedency at the mill, and payment of multures, prove the early ingenuity with which this piece of feudal oppression was enforced against all but the privileged.

At the period of the rental (A.D. 1290), the mill of Bolden, with its thirlage, gave eight merks of yearly

<sup>1</sup> One shape of slavery, indeed—the servitude of colliers and salters—was abolished by statutes so late as 1775 and 1799. That was not a continuation, scarcely a legitimate descendant, of the primeval villenage.—See *Appendix*.

<sup>2</sup> But in each case it was provided—*Si sanguis effusus fuerit in terra ejus, ipse forisfactum habebit de hominibus suis, et nos de hominibus nostris*, so important was the revenue derived from escheats and fines of court.

rent. Four brewing-houses were let for ten shillings each, and were bound to supply ale to the Abbot at the rate of a gallon and a half for a penny. The Abbot had from each house of the barony a hen at Christmas, which was worth a halfpenny.

The land of Abbots Selkirk, which was a plough-gate and a half, used to give ten merks of rent.

The Abbey had hostilages and mansions in many burghs, perhaps to enable their Abbot or his representatives to attend the king's court during the royal progresses. It had valuable fishings, and others of so little value, yet so carefully guarded by charters, as almost to lead to the belief that the monks esteemed some sort of fishing for sport.<sup>1</sup>

We are not informed of what materials the bridge of Ettrick was constructed, for the support of which King Alexander II. gave the monks a grant of land, and where the Abbot afterwards held his courts of regality ; but we have a very formal transaction recorded, for leave to build a bridge across the rivulet of Blackburn, and to have passage for carts and wagons to and fro ; and we find the bridge was designed to be of stone, in the middle of the thirteenth century—an early instance for Scotland, and marking considerable progress in the arts, if the stream is of any size.

All the Abbey tenants and vassals were probably bound to relieve the Abbey of the military and other

<sup>1</sup> In the first charter to the Abbey, the founder granted the monks the fishing of the Selkirk waters—*aquas meas de Selechirche communes ad piscandum suis propriis piscatoribus ul meis* ; a

right that would now be held of little value, save by the lover of the angle. It must have been of more consequence, however, when the lower water was less closely fished.

public services. We find this expressly provided in the case of the husbandmen of Bolden ; and with regard to the lands of Prestfield, which in 1327 were found by an assize to be four husband-lands ; to be parcel of the barony of Bolden ; and bound to provide a man-at-arms, who should be the captain of thirty archers, found by the barony.

Although richer in notices of the rural population, the Abbey Chartulary is not devoid of information regarding the class of burghers, such as they existed in those burghs of second rank which enjoyed privileges under the authority of some of the great lords of the Church. Kelso was one of this class, and there are some amusing instances, as early as the reign of William the Lion, of the jealousy with which the royal burgh of Roxburgh protected its privileges of fair, and right of trading, against the Abbot's pretty village on the other side of the river.

The Abbey of Kelso, the first and perhaps the richest of the Sainted David's monasteries, freed from all episcopal jurisdiction and dues,<sup>1</sup> itself enjoying the privileges of the mitre and crozier, took precedency among the monasteries of Scotland second only to the Priory of St. Andrews. It was not, indeed, until the reign of James I. that priority of place in parliaments and councils, above the Abbot of Kelso and all other prelates (after bishops), was adjudged to the Prior of St. Andrews, not on account of the antiquity of the foundation, but plainly by reason of his connexion with the primal see.<sup>2</sup>

<sup>1</sup> *Ab omni subjectione episcopali et exactione libera.*

<sup>2</sup> *Fortun*, vi. 49 ; where Bower evi-

dently misunderstands the arguments he reports. Without reckoning the foundations of Culdees, of remote and oh-

Thus foremost in rank and power, the monks of Kelso vindicated their place by their practice of the monastic virtues. We find their charity and hospitality early acknowledged by their diocesans, impartial witnesses, of the opposite faction, and with some cause for jealousy of the independent regulars. We may see them, in the transactions here recorded, as the liberal landlords of a vast domain, stimulating and aiding their people towards emancipation and true independence.


Good landlords and good neighbours, hospitable and charitable, when the time of trouble came in the War of Independence, we find them the objects of general sympathy. After peace had been in some measure restored by the vigour of Bruce, John, Bishop of Glasgow, expresses his sorrow that "the Benedictine monastery of Saint Mary of Calchow, which used to show a liberal hospitality to all who crowded thither, and lent a helping hand to the poor and needy, being situated on the confines of the kingdoms, through the hostile incursions and long-continued war of the countries, is now impoverished, spoiled of its goods, and in a sort desolate." The Bishop of St. Andrews, William of Lamberton, who had himself experienced so many of the mischiefs of the civil war, in the preamble to a grant in their favour, speaks with equal commiseration of our Kelso monks—"Seeing that the Monastery of Saint Mary of Kelcho, on the borders of England and Scotland, is, through the common war and the long depredation and spoiling of

scure antiquity, the Abbey of Scone and the Priory of Coldingham, at least, were earlier foundations of regulars than

either St. Andrews or Kelso. The controversy, therefore, cannot have turned upon mere antiquity.

goods by fire and rapine, destroyed, and, we speak it with grief, its monks and 'conversi' wander over Scotland, begging food and clothing at the other religious houses—in which most famous monastery the service of God used to be celebrated with multitude of persons, and adorned with innumerable works of charity ; while it sustained the burdens and inconvenience of crowds flocking thither of both kingdoms, and showed hospitality to all in want—whose state we greatly compassionate," etc.

The beautiful and somewhat singular architecture of the ruined church of Kelso Abbey still gives proof of taste and skill and some science in the builders, at a period which the confidence of modern times has proclaimed dark and degraded ; and if we could call up to the fancy the magnificent Abbey and its interior decorations, to correspond with what remains of that ruined pile, we should find works of art that might well exercise the talents of high masters. Kelso bears marks of having been a full century in building ; and during all that time at least, perhaps for long afterwards, the carver of wood, the sculptor in stone and marble, the tile-maker and the lead and iron-worker, the painter, whether of Scripture stories or of heraldic blazonings, the designer and the worker in stained glass for those gorgeous windows which we now vainly try to imitate— must each have been put in requisition, and each, in the exercise of his art, contributed to raise the taste and cultivate the minds of the inmates of the cloister. Of many of these works the monks themselves were the artists and artisans.



The Abbey buildings of Kelso must have suffered severely at several periods of its history. We have seen the melancholy state to which the convent was reduced during the War of Independence ; and subsequent wars with England, which always fell heavy on the Borders, must have rendered necessary more than one refitting of its buildings. But those church walls of massy stone were not easily obliterated. The solidity of their structure was proved when the English forces under the Earl of Hertford made that ferocious foray, in which the Church was no more sacred than the corn and cottage of the unarmed peasant. The leaders of the expedition describe it themselves, in a letter addressed to the King of England : — “ From the Campe at Kelso, the 11th of September 1545, at night.”<sup>1</sup>

“ Please it youre Royall Majestie to understand that uppon Wensdaye at two of the clock at after none, I thErll of Hertford, with youre Highnes armye, did arryve here afore Kelso ; and ymediatly uppon our arryvall a certen nombre of Spanyardes, without myn appoyntment, gave of their owne courage an assault with their harque buces to the Abbey ; but when I perceyved the same to be to lytell purpose for the wyning of yt, I caused them to retyere, and thought best to somon the hous, whiche I did furthwithe ; and such as were within the same, being in nombre about an hundred persons, Scottishemen (whereof twelve of them were monkes), perswaded with their own follye and wilfulnes to kepe yt, whiche no man of any consideration of the daungier they were yn, the

<sup>1</sup> State Papers. v.

thing not being tenable, wolde have don, did refuse to rendre and delyver it. Wheruppon I caused the same to be approached out of hande with ordnaunce, and within an hower or lytell more made a grett breche ; and the Spanyardes, whiche had byn at yt before, desyryng the assaulte, which I graunted theym, did enter the churche at the breche, and haundeled yt so sharpely, that the Scottes were by and by dryven into the steple, whiche was of good strenght, and the waye to theym so narrowe and dangerous, that the night being at hand, althoughe they had wonne the churche, and all the house in effect saving that steple, yet they were forced, by reason of the night, to leave the assaulte till the next morning, setting a goode watche all nighte aboute the house ; whiche was not so well kept but that a dosen of the Scottes, in the darke of the night, escaped out of the house by ropes, out at back wyndowes and corners, with no lytell daunger of their lyves. When the daye came, and the steple eftsones assaulted, yt was ymediatly wonne, and as many Scottes slayne as were within ; and som also that fledde in the night were taken abrode. Of the Spanyardes were loste not past three or 4, whiche were kylled with the Scottes hacbutiers, at the first assaulte given afore the breche was made, and one or two Englishe men hurte, whereof Henry Isam, servaunt to me Sir Henry Knyuet, was one.

“ Yesterdaye all daye, intending to procede to the making of a fortresse of the said Abbey (as I the saide Erle have before advertysed that I wolde, yf uppon the viewe of the place the same were fesible), we devised



theruppon with the Italion fortifier that ys here, Archam, and the master mason of Berwik ; and when we had spente all the day therabouts, we found the thing so difficulte, that, in our pore opynyons, yt seemeth impossible to be done within the tyme that we can tarrye about ytt, for the causes folowyng ;”

Among the reasons given for not fortifying Kelso, are the following :—“ We fynde there, so great and superfluous buildinges of stone, of gret height and circuit, aswell about the churche as the lodgings, whiche, to make any convenyent fortresse there, must of force be down and avoyded, that the taking downe and advoyding therof only, woll axe at the leeste two moneths ; and yf the same shuld be taken downe and not advoyded, the heapes of stone, besides the confusion of the matier, shuld remaine an enemye to the fortresse ; and to make the fortresse so large as shuld conteyne all those superfluous buildinges, shuld be suche a confused and longe worke as can not be perfected in a great tyme. . . . Also by reason that the water of Twede ryseth many tymes sodenly, we cannot have [victuelles] brought unto us when we wolde ; wherof we had a good experyens on the day of our marching hither ; for when the vaunt garde and the moste parte of the battell was passed over Twede, the water rose so sodenly, that the rereward could not passe, and drowned some of their carriages ; by meane wherof the rereward was fayne to marche on th’other syde of the ryver, till they came agaynst our campe on this side, and so to encampe theym silfes as strongly as they coulde agaynst us, the ryver being be-

tweene us : and the next mornynge, the water being fallen, they came over to us. This expervens we had of this ryver : and yet the wether was as fayre as was possible, and no likelyhod, nor no man wolde have thought that yt coulde have rysen so sodenly. . . . On th'other side of the water, even hard by, ys a gret hill called Maxwell hughe, whiche may beate the house, and ys an exceeding great enemye to the same. And besides all this, the soyle hereaboutes is suche, and so sandye and bryttell earthe, that we can find no turfe any thing nere hand to buylde withall ; and the ground about the house ys suche a hard gravell, that without a countermure of stone, yt woll not serve to make the ditches, whiche woll axe a long tyme."

After weighing all which, the English leaders come to the resolution " to ruse and deface the house of Kelso, so as th'enemye shal have lytell commoditie of the same, and to remain encamped here for five or six dayes, and in the meane season to devaste and burne all the country hereabouts as farr as we maye with our horsemen. As to morrowe we intend to send a good bande of horsemen to Melrosse and Dryburghe to burne the same, and all the cornes and villages in their waye, and so daylie to do some exploytes here in the Mershe, and at th'end of the said 5 or 6 dayes to remove our campe, and to marche to Jedworthe, to burne the same, and thus to marche thorough a great part of Tyvydale, to overthrowe their piles and stone houses, and to burne their cornes and villages" a pious resolution, most faithfully fulfilled.

It is not wonderful that so little remains of the

Abbey of Kelso. The storm of the Reformation vented itself on the remaining images of saints, and relics of the old religion ; but found little of the fabric entire. The “great and superfluous buildings of stone,” which impeded the English engineers in their plans of fortification, after being “razed and defaced” by them, have disappeared under the gradual but persevering inroads of the neighbours ; and the cloisters and conventual buildings of the convent and its lordly abbot, have passed by a common transmigration into the dwellings of their former dependants, the burghers of the Abbot’s burgh of Kelso. The Abbey church, breached and shattered by the English “ordnaunce,” seems never to have been repaired. After the Reformation, an unsightly fabric was fitted up within its walls, to serve the double purpose of a parish church and a jail, which has now for some time been removed ; and the church of St. Mary at present suffers only under the gradual decay of age, and the encroachment of some villager, whose sturdy Presbyterian heart feels no compunctious visitings while he stalls his cow on the consecrated ground where altars stood of old, and where warriors and princes chose their place of rest.


Reposing on the sunny bank of its own beautiful river, the modern town of Kelso looks a fitting rural capital for “pleasant Teviotdale.” It has little the air of an old monastic burgh, and still less calls up any recollection of the heaps of ruins that impeded the plans of the English engineers. There is not much knowledge or tradition of its former state, and but few memorials

of its old inhabitants. Lately, a worthy burgher who had dug up in his garden under the Abbey walls what seemed to him a rare coin of a Scotch king, was scarcely well pleased to learn that it was a leaden *bullæ* of Pope Alexander III., bronzed with the oxidizing of seven centuries.

In the midst of the modern town, the Abbey Church stands alone, like some antique Titan predominating over the dwarfs of a later world. Its ruins exhibit the progression of architecture that took place over Scotland and England, between the middle of the twelfth and the middle of the thirteenth centuries. What remains of the choir affords a good specimen of the plain Norman style, not of the earliest character, but such as prevailed in England before 1150, and in Scotland perhaps a little later.

The western front is later Norman, probably of the latter half of the twelfth century ; and the great western doorway, of which but a fragment remains, must have been a fine specimen of the period which produced the richest architecture of the circular arch.

Of the same period nearly, is the arcade of intersecting arches, a form more common in the churches of Normandy than in those of Britain ; and lastly, the tower springs from arches of a transition character, marking the first half of the thirteenth century, when the Norman style was passing into that which is now almost authoritatively stamped with the appellation of Early English.



## INCHAFFRAY.

The beautiful valley of Strathearn has some peculiar points of interest for the Scotch historian and antiquary. It contains, in the forts scattered over its lower district, and in the remarkable "round tower" of Abernethy, among the oldest vestiges of civil dominion and of ecclesiastical antiquities that remain to us. The earldom ascends to a high and romantic antiquity, and it was our only county palatine. Its great Earls, of the ancient Scotch blood, held their own, amid the innovations of David I., as the leaders of the Celtic party, and supported their native customs against the new fangledness of the Saxon and Norman chivalry.<sup>1</sup> The older chroniclers mention them with much of the respect paid to royalty.

Malis was the Count of that time, perhaps the first of the race who accepted the new southern title of honour. He was not a man of parchments; or at least we have no charters granted to him or by him. He was one of the six Earls who attested or consented to the re-erection of the Abbey of Scone, by King Alexander I., about the year 1114; and he witnessed another grant to the same monastery;<sup>2</sup> one to the cathedral of Glasgow,<sup>3</sup> and several charters of David I. to Dunfermline. We know him again only in the lively sketch of the Battle of the Standard, by Abbot Ailred (A.D. 1138).

<sup>1</sup> *Ailred de Bello Standardi*, etc.

<sup>3</sup> *Regist. Glasg.* p. 9. The charter

<sup>2</sup> *Liber de Scon*, N. 1, 3. The second charter is between 1122 and 1124. was granted in 1136.

He wore no armour, but went to battle in his country fashion. He blamed the king for trusting so much to the Frenchmen—"Not one of them, with all his arms, shall be more forward in battle this day than I shall;" and his taunts had nearly led to a quarrel with Alan de Percy, a Norman knight, a follower of David; but the king interposed.

We know no more of the next Earl, Ferteth or Ferquhard. In 1160, he headed a conspiracy of native Scots, irritated at King Malcolm's English counsels. "We will not," said they, "have Henry to rule over us." They assaulted the tower in which the king had sought refuge, and though repulsed, were too powerful and dangerous to be brought to punishment.<sup>1</sup> Earl Ferteth witnessed a charter of King Malcolm about the year 1155.<sup>2</sup> He is mentioned as alive in a charter to the Abbey of Scone, in 1164,<sup>3</sup> and he died in 1171.<sup>4</sup>

With Earl Gilbert, the son of Ferteth, we become better acquainted. He adopted the Norman fashions; took charters for his lands; practised the usages of knightly heraldry; connected himself with Norman families by marriage, and rivalled the most zealous followers of David in his munificence to the church.

Fordun tells us a strange legend,—that Earl Gilbert of Strathearn divided his earldom in three equal parts, one for the Bishop of Dunblane; another he bestowed on Saint John the Evangelist and the canons of Inchaffray; and reserved the third for himself and his heirs

<sup>1</sup> *Fordun*, VIII. 4; *Hailes ad an.*

<sup>2</sup> *Regist. de Dunferm.* p. 24.

<sup>3</sup> *Liber de Scon.*

<sup>4</sup> *Chron. Mailr.*

in his earldom.<sup>1</sup> Though we find no trace of such extreme munificence, it is certain that Earl Gilbert followed the fashion of the age in liberal endowments to the church. The family of Strathearn were the only Scotch subjects who could claim the distinction of having founded a bishopric and inheriting its patronage, unless we except the great lords of Galloway, who appear to have renewed the foundation of the venerable see of St. Ninian.<sup>2</sup>

Whether we adopt Fordun's authority, and hold it as certain that the see of Dunblane was founded by Earl Gilbert, who succeeded in 1171 and died in 1223, or ascribe its erection to a somewhat earlier period, it might be an inquiry of some interest to endeavour to ascertain from what dioceses the territory assigned to the new see was disjoined. It is not probable that the old bishopric of Cumbria extended at any time farther to the northward than the limits of the later diocese of Glasgow, which appear on all sides to have been marked out by the ancient boundaries of the British people of Strathclyde and Reged. The see of St. Andrews may probably have contributed a portion of its south-western territory to the new bishopric, but it seems likely that the great bulk of its jurisdiction was derived from the diocese of Dunkeld.<sup>3</sup>

<sup>1</sup> *Scotichronicon*, VIII. lxxiii.

<sup>2</sup> It was probably on this ground they claimed the right of nominating the Bishops of Whithorne.—*Chron. Lanercost*, 59, 62.

<sup>3</sup> The bishopric of Dunkeld, ascending to an antiquity perhaps equal with that of St. Andrews—and (if the obscure in-

timations of the Irish annalists may be trusted) possessing at one time some sort of primatial or metropolitan dignity—even in times comparatively modern extended its authority over a vast extent of country. Until the beginning of the thirteenth century, the whole diocese of Lismore, or Argyle, was included within

Very early in the reign of William (1178-80), Earl Gilbert had a charter of Kinbethach, to be held to him and his heirs, of the king and his heirs, as freely as he held his earldom of Strathearn.<sup>1</sup> Among the witnesses to that charter is a person styled Gillecoldm Marescald. A few years later (before 1189) the king granted to Earl Gilbert, Maddyrnin (Madderty), with all its perti-

its bounds.—(*Scotichron.* vi. xl. xli.—*In illo tempore tota Ergadia episcopo Dunkeldensi parebat et ejus jurisdictioni sicut ab antiquo subiacebat.*—*Extract. e var. Chron. Scotie*, p. 80.) And to a much later period the Abbots of Iona acknowledged the Bishops of Dunkeld as their proper diocesans. Abbot Myln, with the records of the cathedral still entire, writes that in the episcopate of William St. Clair, Bishop of Dunkeld during the reign of Robert Bruce, Finlay elected Abbot of Y, received episcopal confirmation from him as his ordinary, at his palace of Tyhermuir.—*Vit. Episc. Dunk.* p. 13. The continuator of Fordun relates that in the year 1431, the Abbot of Icolmkil did obeisance (*fecit obedientiam*) to Robert Bishop of Dunkeld.

We may account for this seeming anomaly, which placed one of the Western Isles within a diocese from which it was separated by so great a distance, and by so many natural barriers of sea and land, by supposing that when the Bishops of Dunkeld ceded the western portion of their territory to the new episcopate of Argyle, they reserved Iona to their own jurisdiction, either on account of the dignity which attached to an island illustrious by so many associations, or by reason of the especial reverence in which the memory of St. Columba was had at Dunkeld, where it has been supposed that his bones found a resting-place, and of whose cathedral church he was the patron saint. It does not appear that Iona was at any time of old included within the Norwegian see of

the Isles, which (perhaps even until the fifteenth century) was considered no suffragan of the Scotch church, but owed its allegiance to the Archbishop of Drontheim, and was acknowledged to be within his province. In like manner the see of Galloway, long after the subjection of the province in civil things to the Crown of Scotland, was accounted to belong, in spiritual matters, to the province of York, from whose metropolitan the Bishops of Whithorne received consecration, even after they were permitted to take their seats in the Scotch Parliament, in the fourteenth century.

In the famous bull of Pope Innocent III. (A.D. 1198-1214), recognising the independence of the Scotch church, only nine bishoprics were enumerated as within its limits—St. Andrews, Glasgow, Dunkeld, Dunblane, Brechin, Aberdeen, Moray, Ross, and Caithness.—*Regist. Glasg.* p. 77. Lismore, or Argyle, had not yet been separated from Dunkeld. Galloway was then acknowledged to be suffragan of York; and Orkney and the Isles were, until long afterwards, in the obedience of the Metropolitan of Drontheim.

Some apology may seem to be required for introducing this notice of the jurisdiction of a few of our ancient bishoprics in this place. The subject is not without interest, and the chartularies still remaining to be published may not afford any opening more appropriate.

<sup>1</sup> In the Athol charter-chest.



nents, and with all feudal privileges and jurisdictions, to be held for half a knight's service— but under a remarkable condition— “ that no part of the land should ever be sold to Gillecolm Marescall, or his heirs, or any one of his race, seeing the said Gillecolm forfeited that land for felony done against the king, in that he rendered up the king's castle of HERYN feloniously, and afterwards wickedly and traitorously went over to his mortal enemies, and stood with them against the king, to do him hurt to his power.” Who this traitor was, who had betrayed the king's castle of Earn, and joined the rebels, it may be impossible to ascertain. Yet the time suits remarkably with the adventures of that “ *Gillecolmus archityrannus et latronum princeps*” who kept all Lothian in fear, slew certain nobles, and spoiled their lands, and was at length defeated and slain by Rolland of Galloway, acting as the king's lieutenant, on the 30th of September 1185. The story is told by John of Fordun.<sup>1</sup> It must be remembered, however, that the name of Gillecolm (servant of Columba) was very common.

Earl Gilbert must have been early married to his first wife, Matildis, the daughter of William de Aubegni. Some time before the year 1198, he granted a charter

<sup>1</sup> Lib. VIII. c. xxxix. The conditions quoted above seem to imply that Gillecolm's lineage was of some note. A charter of David I., of the year 1136, is witnessed by *Malodeni Marescal*, by Earl Malis of Strathearn, and many others.—*Regist. Glasg.* p. 9. This may have been the father of the traitor Gillecolm; but it is unsafe to rely on the affix of Marescal as being a hereditary and steady surname. For those who are curious in such inquiries it may be al-

lowed to conjecture that the third generation of the sept is recognised in two Scotch pirates, “ William of Mariscal” and “ Robert of Mariscal,” who about the year 1237 plundered the English traders between Bristol and the Irish ports of Dublin and Drogheda, and for whose apprehension the English king ordered two galleys and a ship to be equipped by the port of Sandwich, and the other ports on the Sussex coast.—*Illustr. of Sc. Hist.* pp. 29, 30.

upon the marriage of their daughter Matilda with Malcolm, son of Duncan Earl of Fife, of the lands of Glendovan and Carnibo, Aldi and Fossedwege (Fossoway), to which charter, Gilchrist their eldest son was a witness. Gilchrist died in 1198.

Before that time, the Earl had founded the house of Inchaffray;<sup>1</sup> but then, the parents having chosen it as the place of burial of their son, they recorded their sorrow in an extended foundation, and more liberal endowment of their monastery. The convent was to be of Augustinian canons regular, of whom a certain Malis the Hermit, in whose piety and discretion the founders had all confidence, was to be the head, and to have the selection. The Earl and Countess declared their affection for the place—"so much do we love it, that we have chosen a place of sepulture in it for us and our successors, and have already buried there our eldest born." It was dedicated to St. Mary the Virgin and Saint John the Evangelist, and was, by its great charter (of 1200) endowed with the churches of St. Kattanus of Abbyruthven, of St. Ethirnanus of Madderty (the parish formed out of the Earl's new manor of Madderty, forfeited by Gillecolm), of St. Patrick of Strogeth, of St. Mechesseok of Och-terardouer, of St. Beanus of Kynkell; with the tithe of the Earl's kain and rents of wheat, meal, malt, cheese, and all provisions used throughout the year in his court; with tithe of all fish brought into his kitchen, and of the

<sup>1</sup> The charter confers on the canons all the escheats and fines of the men of their territory (given them by the Earl) though convicted in the Earl's court. It

is witnessed by the Countess Matilda and their six sons, the last-named being Gilchrist, who died in 1198.

produce of his hunting ; and the tithe of all the profits of his courts of justice, and all offerings. The convent had the liberty of fishing in the Peffer, and of fishing and birding over all the Earl's lands, waters, and lakes. They might take timber, for building and all other uses, from his woods, and have their pannage, or mast feeding for pigs, as well as bark and firewood, in whatever places, and as much as they chose. Some years later, Earl Gilbert granted to the canons, now seated at Inchaffray, the church of St. Beanus of Foulis, with the "dower" land of the church, and the common pasturage of the parish ; and the church of the Holy Trinity of Gask, with the same privileges. The charter conveying the latter grant has still appended to it a fragment of the granter's knightly seal, with a counter-seal of arms, which bears no resemblance to the known cognisance of the family subsequently. By his Countess, Matildis de Aubigny, Earl Gilbert appears to have had at least seven sons, Gilchrist, William, Ferthet, Robert, Fergus, Malis, and Gilbert. The marriage of their daughter Matilda has already been mentioned. Another, Cecilia, married Walter, the son of Alan, the ancestor of the family of Gowrie, and had for her dower the land of Kulgasc. In his old age the Earl took a second wife, Ysenda, the daughter of a knightly family of the surname of Gasc.<sup>1</sup>

A chronicle, which seems to have been written in the diocese, or to be in some other way peculiarly connected with Dunblane, records Earl Gilbert's death—"Gilbertus

<sup>1</sup> The original of that charter is still preserved at Abercairney. It must have been granted about the year 1220.

fundator canonicorum Insule Missarum et episcopatus Dunblanensis obiit Anno Domini 1223.”<sup>1</sup>

Earl Gilbert was succeeded by his son Robert, who was also the good patron of the canons of Inchaffray. One of his charters, indeed, savours of some estrangement and reconciliation. Earl Robert, in the church of Strogeth, in presence of Abraham, Bishop of Dunblane, Gilbert the Archdeacon, and other notable witnesses, binds himself towards Innocent the Abbot, that he will never in all his life vex the said abbot or his convent unjustly; nay, will love and everywhere honour them, as his most special friends, and will add to the possessions of their house, whatever he may, by the counsel of his friends. In particular, he confirms to them the churches of Gask and Strogeth.

The family of Strathearn, and its possessions, have been so mixed up with the romantic events of Scotch history, that they have been naturally subjected to some exaggeration. The ancient earldom has been described as including “the haill lands lying betwixt Croce Macduff at Newburgh, and the west end of Balquhiddel, in length; the Oichell hills and the hills called Montes Grampii, in breadth.”<sup>2</sup> The Register of Inchaffray, and the charters which accompany it, show that there were many independent lords within that district from the earliest period of record, and almost as early as the earldom can have been held, at least by that title. We even become acquainted with a royal castle of “Earn,” that strength betrayed by the traitor Gillecolme; and it may exercise

<sup>1</sup> *Extracta e Cronica Scotie*, 92.

<sup>2</sup> *Scotstarvet*.

the research of the local antiquary to fix its site. But with due deduction from the magniloquent descriptions of our old writers, the possessions of the family were sufficient to give them a very high place among the great earls of Scotland. It is not, perhaps, to be hoped that the confusion and obscurity that involve the latter descents of the ancient family should be entirely removed, but the documents now collected may be of some service in such an investigation.<sup>1</sup> They cannot fail also to throw light upon the descent of land in the district of the ancient earldom, and the rise of the present possessors of the soil, many of whom owe their establishment there to their connexion with the ancient family. As the documents have been chiefly drawn from the charter-chests of Abercairney and Athole, they naturally bring most into light the ancestors of those two branches of the ancient stock of De Moravia, the former of whom obtained the lands of Abercairney by marriage with a daughter of Malis, Earl of Strathearn; the latter acquired Tullibardine through their intermarriage with the family who appear to have been hereditary seneschals of the earldom.

<sup>1</sup> It is scarcely necessary to warn the reader against giving full confidence to the curious certificate of pedigree sanctioned by the Bishop and Chapter of Orkney for the information of the King of Norway. It comes to us in a questionable shape, through the copy of a remarkably ignorant clerk, evidently unacquainted with the writing and phraseology of old deeds. It is consequently full of errors, and the date is plainly erroneous. But, besides, the nature of the document itself is peculiarly open to mis-

take and mis-statement. It approaches too near to those birth-briefs so common at a later period in Scotland, which were used at first to deceive foreigners ignorant of Scotch pedigrees, and have been the fertile source of error at home, after length of time had rendered it difficult to correct their mis-statements. Deceitful as such documents usually are, they occasionally furnish the most valuable information of events near their own date, and which there could be no object in mis-stating.

It does not appear when the Earls of Strathearn first obtained the rank of Earls Palatine. The style is not given, in any of the documents now collected, during the time of the old family ; though the dependent bishop, and the officer bearing the title of "the Earl's Chancellor," certainly argue somewhat like palatinate privileges.<sup>1</sup> After the ancient line had failed in the direct male descent, and when Maurice de Moray, created Earl by David II., had fallen at the battle of Durham in 1346, leaving no issue, King David bestowed the great earldom upon his nephew Robert, the High Steward, afterwards King Robert II. On his accession to the throne (in 1370), Robert II. granted the earldom of Strathearn to his son David (his eldest son by his second queen, Eufam of Ross), and in his favour, if not sooner, it was erected into a palatinate ; for five years later we find David, styled Earl Palatine of Strathearn, taking part, along with the queen his mother, in a contract of marriage between the queen's sister, Jonet de Monymuske, and Alexander de Moravia of Drumsergarth ; while Walter de Moravia, his brother, is to have to wife (if he choose) the eldest daughter of the said Lady Jonet de Monymuske.<sup>2</sup>

One at least of the marriages thus contracted took place, and was not fortunate. Only three years afterwards,

<sup>1</sup> Master Richard de Strevyllyn is styled the Earl's Chancellor in 1266. We must remark, however, that the ancient great regalities, and perhaps the great earldoms, had chancellors. Charters of Thomas Randolph, Earl of Moray, are attested by his chancellor and chamberlain of his regality of Moray. Patrick de Dunbar, Earl of March and Moray, addresses a precept to his chan-

cellor in his earldom of Moray (A.D. 1367), and a charter of John de Dunbar, Earl of Moray, is witnessed by W. de Cheshelme, thesaurar of the diocese, the earl's chancellor. — *Notes of Original Charters.*

<sup>2</sup> Indenture 1375. It was long ago published by Anderson in the *Diplomata*.

we meet the record of a very curious compact. On the 20th of April 1378, in the parish church of Perth, it was covenanted that Hugh de Ross, lord of Balyndolch, shall make to be brought within the diocese of Dunblane the Lady Johanna (or Jonet), the wife of Alexander de Moravia, at the next coming feast of St. John the Baptist, for which he is to have seven marks beforehand, and seven more when he intimates that he has performed his engagement; and the divorce being completed, he is to receive a similar sum; and the said Hugh promises to give his advice and assistance to the said divorce.<sup>1</sup>

The next of the documents collected and published with the Abbey Register furnishes the best illustration of the working of the law of Clan Macduff which has yet been discovered. It appears that Sir Alexander de Moravia was accused of the slaughter of William de Spaldyne, and indicted for the crime in the court of the High Justiciar, held by his deputies, Sir John and Morice de Drummond, at Foulis. On the 7th day of December 1391, he appeared with his forespeakers, protested that inasmuch as he had been once before called in judgment for that slaughter, and re-pledged to the law of Clan Macduff by Robert, Earl of Fife, he was not obliged to plead before any other judge to that charge until the said law of Clan Macduff should have had its privilege in regard to him thus re-pledged to its jurisdiction; and he demanded to be lawfully discharged. The judges made answer that they would not discharge him, but

<sup>1</sup> The word in the original is *deforciam*. bringing of the lady within the jurisdiction. It may mean the forcible

would respite him, until the Lord of Brechyn, the principal justiciar, should take order in the matter.<sup>1</sup>

The cathedral of St. Blane, originally founded and endowed by the Earls of Strathearn, continued under their protection until the earldom had merged in the Crown, and the bishop and chapter held their lands, annual rents, and temporalities, of the earls, as their feudal superiors. In 1442, James II., in Parliament, declared the earldom fallen to the Crown, and ordained the bishopric temporalities henceforth to be held in free barony directly of the sovereign.<sup>2</sup>

It was some time afterwards that the last traces of the great civil jurisdiction of the Earls Palatine disappeared. In 1483, Humphrey Murray appeared in the accustomed place of court of the Seneschal of Strathearn, called the stayt of Creiff, and withdrew his suit—*levavit sectam suam de predicta curia*—which was transferred by crown charter<sup>3</sup> to the king's sheriff-court of Perth. On the 16th February 1505, Parliament ratified "the creation and making of the baronys of new create and maid within the Kings Earldom of Stratherne, within

<sup>1</sup> The law tradition of the privilege of Clan Macduff is thus given by Skene:—"The croce of Clan Makduffe dividis Stratherne fra Fife abone the Newburgh beside Lundoris. The quhilk had priviledge and liberty of *girth*; in sik sort that when ony man-slayer, being within the ninth degree of kin and bluid to Makduffe sumtime Earle of Fife, came to that Croce and gave nine kye and ane colpindach, he was free of the slaughter committed be him." He further tells us—"I saw ane auld evident beand that Spens of Wormestoun, beand of Makduffe's kin, enjoyed the benefit and

immunity of this law, for the slaughter of ane called Kynnynmonth."—*De Verbor. Sign. ad Voc.*

There is evidence of the privilege of Clan Macduff having saved Hugh de Arbuthnot and his accomplices from being proceeded against for the slaughter of John de Melvil of Glenbervy in 1421. (*Analect. Scot.* II. 30.) A very curious ancient notice of this privilege occurs in one of the fragments of laws collected at the end of the first volume of the *Act. Parl. Scot.* 382, c. 26.

<sup>2</sup> *Act. Parl.* II. 58.

<sup>3</sup> Orig. at Abercainrey.



thir thre yeris last bipast, and relaxit the said baronyis and landis annexit to thaim, fra all service aucht therof in the Stewart Courts of the Kings Earldom of Stratherne, and will that the said service be paid in the Kings sheriff court of Perth, in all tymes to cum.”<sup>1</sup>

The Abbey of Inchaffray, though respectably endowed, does not seem to have ranked among the greater monasteries of Scotland. The abbots, though prelates of parliament, occur rarely in public affairs, or in the transactions which so frequently brought together churchmen of various religious houses. We have thus only a very few names of the successive abbots preserved.

Malis, a religious hermit, was the person to whom Earl Gilbert committed the selection of the convent at its first foundation in 1200, and he was the first head of the house.

In the General Assembly of the Kirk, convened at Edinburgh the 25th of December 1567, Alexander, called Bishop of Galloway, commissioner, was accused, “that he had not visited these three years bygone the kirks within his charge ; that he had left off the visiting and planting of kirks, and he haunted court too much, and had now purchased to be one of the Session and Privy Council, which cannot agree with the office of a pastor or bishop ; that he had resigned Inchaffray in favour of a young child, and set diverse lands in feu, in prejudice of the kirk.” The Bishop of Galloway “granted that he offended in all that was laid to his charge.”<sup>2</sup>

<sup>1</sup> *Act. Parl.* ii. 267.

<sup>2</sup> *Booke of the Universal Kirk of Scot-*

*land*, 112, 114. For the details of the active life of this trimming prelate, who

The youth in whose favour he had resigned the Abbacy of Inchaffray was James Drummond of Inverpeffray, the second son of David, second Lord Drummond, who was commendator of Inchaffray on the 13th of March 1556, when David Lord Drummond acted with him as his coadjutor. The abbacy of Inchaffray was erected into a temporal lordship in his favour, and he was created Lord Madertie in 1609. From him is descended the noble family of Strathallan.

In 1238, the Bishop of Dunblane had gone in person to the Papal court, and the narrative of the Papal commission proceeds partly upon his information. It sets forth that the see had been vacant for above ten years, during which time its property had been plundered, so that no fit person could be induced to hold the office, until the Papal commissioners had fixed upon the then Bishop, in the hope that through him the church might breathe again out of its slough of misery; that the new bishop had found it so desolate that he had not where to lay his head in the cathedral. There was no chapter; but in the unroofed church, a certain rustic chaplain performed divine service; while the bishop's revenues were so slender, they scarce afforded fitting maintenance for half the year. Upon this statement, the Pope granted commission for assigning to the bishop, the fourth of the tithes of the whole parishes of the diocese, from which he was to reserve a fitting sustenance for himself and to provide

was queen's man or king's man as each party was in power; who was a reformer for the same reason, or that he might legitimate his children and marry their mother; but loved the benefices of the

old church well enough to transmit them to his sons—see the careful and valuable notes of Mr. Duncan, *Wodrow's Biogr. Coll.* 475. Maitland Club Edition. Bishop Alexander Gordon died in 1576.

for a dean and canons to be established by the Papal commissioners. Or otherwise, the commissioners were to assign the fourth of the tithes to the bishop ; to transfer the episcopal see to the monastery of canons regular of St. John (of Inchaffray) ; and to constitute the canons the electoral chapter of the diocese.

It is certain that the alternative of raising the convent of Inchaffray into the chapter of the diocese did not take effect ; and the cathedral continued to be governed by a secular chapter. The Papal commission, contrary to its avowed purpose, produced an abandonment by the bishop of all right of pension out of the lands or churches of the Earl of Menteth, and a permission to the Earl to found a house of Augustinian canons in the Isle of Inchmahomok, with the churches of Lany and of the isle itself for their endowment. The church of Kippen was assigned by the Earl to form a canonry in the cathedral, and he made over to the bishop all right to the church of Callendar.

Our heralds tell us, "the old Earls of Strathearn carried for arms *Or*, two cheverons *gules*:" and undoubtedly the Earls Malis of the thirteenth century bore that coat, as did also their vassals (perhaps too their kinsmen) the family of the Seneschals of Strathearn, from whom the house of Tullibardine is descended. On a seal appended to a charter of Malis Earl of Strathearn the double cheveron is seen both on the shield and over all the housings of the horse. The pretty seal of Muriel, the widow of Malis seneschal of Strathearn, gives a shield of the two cheverons, supported by a man's arm,

on whose fist a falcon is perched. It is represented imperfectly at the end of the Preface to the Register of the Bishopric of Moray. But one seal is preserved of higher antiquity, and of much interest to the herald and genealogist. It is the seal of Earl Gilbert, appended to the charter of Trinity Gask, in the charter-chest of the Duke of Athole, which gives on the obverse a mounted knight with drawn sword, the horse galloping, a housing very short and fitting to the horse's body, ornamented with points below—no coat armour or bearing on the shield; the circumscription mostly gone, but the word *COMITIS* still legible. On the reverse is a small counter-seal, a shield of arms,—eight billets (?) 4, 3, and 1,—with the legend—

SECRETVM · G · COMITIS DE STRADERNE.

## CHAPTER II.

### THE UNIVERSITY.

THE Universities of Scotland are the legitimate offspring of the Church. They alone of our existing institutions carry us back to the time when the clergy were the only supporters of schools, and the bishop of the great diocese was the patron and head, as well as the founder, of its university. The annals of the mother university—St. Andrews—have unfortunately not been collected, or made accessible to the student. Of the others, the records have been printed with more or less of fulness.

### GLASGOW.

The University of Glasgow was founded in 1450-51, forty years after St. Andrews, and about the same length of time before Aberdeen. It had the Papal privilege of a *Studium Generale*—the then technical term for a University—and a foundation by the Pope after the model of his own ancient University of Bologna.<sup>1</sup> The customs

<sup>1</sup> Bologna was perhaps rather the measure of the privileges granted by the Pope, and which he alone could grant—the right to confer degrees, etc.—than

the pattern of the constitution chosen by Bishop Turnbull, who could have little knowledge of the Italian University of almost fabulous antiquity. It was

and technical phraseology of the new University, however, early showed an imitation of the institutions of Louvain, then and for all the following century, the model university of Northern Europe, and perhaps peculiarly admired by our countrymen at that period, when it had so recently flourished under a Scotch Rector.<sup>1</sup>

The Pope willed that the University should "flourish in Theology, Canon and Civil Law, in Arts, and in any other lawful Faculty;" that the students deserving the distinction should be presented by the Doctor or Doctors, Master or Masters of their respective Faculties, to the Chancellor (the Bishop), and should from him, after examination, receive the license to teach, the Mastership, or the Doctor's degree, in full convocation of the other Doctors and Masters "reading" there.

The first statutes divided the members of the University into four "nations," here also following Louvain, and indeed the practice of all the continental Universities;<sup>2</sup> and in the nations, as represented by their Procurators, was vested the right of electing the Rector.

the reputation of its canonists that gave rise to the old motto, *Bononia Docet*. The "doctor" who defeated the Jew's demand of the flesh of the Merchant of Venice was of Bologna, according to the original report of the case by Giovanni Fiorentino, though Shakspeare calls him of Rome, taking a place more known to his audience. The Universities of Bologna, Cologne, and Paris, are all cited as models in the ancient statutes of Glasgow.

<sup>1</sup> John Lichon was made Rector of Louvain in 1432.

<sup>2</sup> The University of Paris had its four nations, one of which of old was *Eng-*

*land*, changed in later times to *Germany*. Vienna named its nations *Australes*, *Rhenenses*, *Hungari*, *Saxones*. The nations of the University of Glasgow have varied in name more than in sense. *Thevidalia*, the name of one of the archdeaconries of the diocese, was changed after the Reformation to *Laudonia*. *Clidisdalia*, and the well-recognised *Albania*, have changed for the worse in *Glottia* and *Transforthia*. The nation of *Rothsay* was not made more intelligible by being altered to *Siluria*, which has again given way to the original title. The nations are now well defined.

The foundation and erection were immediately effectual, and numerous members and graduates mark the very first year of the new University. There were lectures in Canon and Civil Law and Theology from the beginning, and perhaps Masters might occasionally "read" in other Faculties. But the Faculty of Arts alone received a definite shape and constitution. The members of the Faculty of Arts annually elected a Dean;<sup>1</sup> had stated meetings; promulgated laws for their government; and more than all, acquired property by the munificence of benefactors,<sup>2</sup> which the University as a body did not do for some time. At Louvain, the Faculty of Arts had four *pedagogia*. At Glasgow, the Faculty of Arts speedily established one, and for many years made all efforts to maintain it, and appropriated the funds of the Faculty from time to time for the support and repairs of its building. There might be some danger of the Faculty of Arts absorbing the University. Bachelors' degrees were conferred in Arts. Licentiates and Masters of Arts were made, and these degrees were recorded, not in the University Registers, but in the Register of the Faculty of Arts.

This was the state of things when we lose sight of the University and its members in the storm that preceded the Reformation. Even before that time the Uni-

<sup>1</sup> In imitation of Louvain, where the Faculty of Arts had recently changed the title of its head from *Procurator* to *Decanus*.—*Andreas Fasti Lovanienses*.

<sup>2</sup> The first land acquired by any members of the University was the site of the present College, described as the tene-

ment on the east side of High Street, adjoining the house of the Friars preachers, with four acres of the Dowhill, beside the Molendinar Burn. It was bestowed by the first Lord Hamilton upon Duncan Bunch, chief Regent in the Faculty of Arts, who had seisin accordingly, *nomine dictæ facultatis*, in 1460.

versity seems to have fallen into decay. The words of the Queen's letter in 1563 are scarcely to be accounted for by any sudden or recent calamity :—" Forsamekil as within the citie of Glasgow ane College and Universitie was devisit to be had quhairin the youthe mycht be brocht up in letres and knowlege, the commounne welth servit and verteu inressit—of the quhilk College ane parte of the sculis and chalmeris being bigeit, the rest thair of, alsweill duellings as provisiounne for the pour bursouris and maisteris to teche ceissit sua that the samyn apperit rather to be the decay of ane Universitie nor ony wyse to be reknit ane establisst fundatioun." Ten years later, the magistrates of the city describe the *pedagogium*, meaning the building of the University, as ruinous, and its studies and discipline extinct. But though thus fallen, the *Studium Generale* still kept up the skeleton of its constitution. The very last transactions recorded before the Reformation show us the University met in full convocation in the Chapter-House of the Cathedral, on its statutory day of the feast of St. Crispin and Crispinian (October 25); its four nations electing their "intrants" or procurators; the four intrants electing the Rector of the University and his four deputies—the promoter or procurator and bursar; and members admitted to the University as a defined and distinct body,<sup>1</sup> and according to the ancient constitution and practice; while the Faculty of Arts held its congregation in the Crypt, at the altar of St. Nicholas, on the 25th day of June, and there elected their Dean and their

<sup>1</sup> *Annis* 1557-58.



examinators, and recorded the "proceeding" of the year's students, now sadly reduced in numbers, for their degrees.<sup>1</sup>

It is astonishing to find how a few years of that disturbed time served to blot out of mind the whole framework of a University, so that the offices and very nomenclature of the old Academic body were disused or changed in meaning. The Regent Morton, in his New Erection in 1577, studying, as he says, to collect the remains of the old University,<sup>2</sup> really discarded all the old constitution, and established in its place the anomalous College or Pedagogy—*Collegium seu pedagogium*—a composite school, half University, half Faculty of Arts, which, with some modifications, still exists. The Principal and three Regents (with no University election), an Œconomus, four poor students, the Principal's servant, a cook, and a janitor, received among them the whole revenue of the establishment, and came in place of the fair and lofty sounding University of Papal authority. The names of Rector and Dean of Faculty were alluded to rather than preserved. The old offices, with their functions, were plainly swept away. By the new erection the Sovereign willed that this College and Academy of Glasgow—*nostrum hoc Collegium et Academiam Glasguensem*—composed of the twelve individuals named above, should enjoy all the immunities and privileges of the other Academies of the kingdom; and the Parliament of Scotland confirmed that erection.<sup>3</sup>

<sup>1</sup> Anno 1555.

<sup>2</sup> *Ad colligendas reliquias Academicæ Glasguensis quam præ inopia languescen- tem ac jam pene confectam reperimus.*

<sup>3</sup> There runs through the deed an inconsistency and carelessness of existing institutions which characterize that period. While it takes away the power

Henceforward we hear nothing more of convocations of the University, meetings of the Faculty of Arts, of "determining," of Bachelors' degrees, or of Licentiates.<sup>1</sup> All the stately ceremonial and sounding titles of the old Academic life, all the University forms were dismissed which had served to bind together the scholars of all Europe in the last age.

In their place, however, came the fervour of a new and animating faith, whose professors had not yet abjured secular learning, and some of whose leaders were foremost in scholarship. Andrew Hay, the Rector, was undoubtedly the most zealous mover of the new foundation, and the Regent Morton its most powerful supporter; but the man on whom was laid the restoration of letters in Glasgow was Andrew Melville. The workman was in every way suited to the task. Melville was accomplished in all the learning of the age, and far in advance of the scholars of Scotland. Vehement and resolute, yet of kindly nature, he was fit for the rough time, and for

and the support of the old offices of Rector and Dean of Faculty, and virtually destroys their functions, it recognises and even adopts them as permanent officers, without making any provision for their election. We are scarcely surprised to find somewhat later "the Senate of the Faculty" deliberating upon the mode of electing the Dean of Faculty, and coming to the resolution that he should be elected by the Rector, Principal, and Professors, *together with the Ministers of Glasgow and the Master of the Grammar School.* Anno 1642.

<sup>1</sup> These terms, which occur so frequently in the second volume of the muniments, may now require explanation in Scotland. *Vernulaus*, speaking of

the Faculty of Arts of Louvain, says—*Honores seu gradus qui in hac facultate reportantur sunt Baccalaureatus, Licentie, Magisterii. Ante hos, publicus unus est actus ut vocant, Determinantia. In eo singuli iuvenes Logice studiosi in celebri totius Academia concessu, de questione aliqua ethica quam Præses, professorum aliquis, proponit, sententiam suam dicunt. Hoc modo Philosophie studiosos se profitentur, nullum vero gradum consequuntur.* These things may appear trifling, but such trifles fostered the academic spirit which first bound the student fast to his own University, and then made him *free* of all the Universities of Europe.

encouraging his followers in the severe studies of which he set the example. His aim evidently was to take advantage of the sudden zeal for education, and to instruct teachers who might spread and continue its blessing. The system he pursued, requiring more exertion than is to be looked for among average students, is known from the narrative of his nephew, James Melville, who accompanied him to Glasgow and assisted in his undertaking :—

“ We cam to Glasgw about the first of November 1574, whare we fand Mr. Piter Blakburn, a guid man, new com from St. Andrios, enterit in the Collage, and begoun to teatche conform to the ordour of the course of St. Andrios. But Mr. Andro [Melville] entering principall maister, all was committed and submitted to him, wha permitted willinglie to the said Mr. Piter, the cair of the Collage leiving, quhilk was but verie small, consisting in litle annualles then, and sett him haillelie to teatche things nocht hard in this countrey of befor, wherin he trauelit exceiding diligentlie, as his delyt was therin alleanerlie. Sa falling to wark with a few number of capable heirars, sic as might be instructars of vthers thereafter, he teatched them the Greik grammer, the Dialectic of Ramus, the Rhetoric of Taleus, with the practise therof in Greik and Latin authors, namlie, Homer, Hesiod, Phocilides, Theognides, Pythagoras, Isocrates, Pindarus, Virgill, Horace, Theocritus, etc. From that he enterit to the Mathematiks, and teatched the Elements of Euclid, the Arithmetic and Geometrie of Ramus, the Geographie of Dyonisius, the Tables of

Honter, the Astrologie of Aratus. From that to the Morall Philosophie ; he teatched the Ethiks of Aristotle, the Offices of Cicero, Aristotle de Virtutibus, Cicero's Paradoxes and Tusculanes, Aristotle's Polytics, and certean of Platoes Dialoges. From that to the Naturall Philosophie ; he teatched the buiks of the Physics, De Ortu, De Coelo, etc., also of Plato and Fernelius. With this he ioyned the Historie, with the twa lights thereof, Chronologie and Chirographie, out of Sleidan, Menarthes, and Melanchthon. And all this, by and attoure his awin ordinar profession, the holie tonges and Theologie. He teachit the Hebrew grammar, first schortlie, and syne more accuratlie ; therefter the Caldaic and Syriac dialects with the practise thereof in the Psalmes and Warks of Solomon, Daud, Ezra, and Epistle to the Galates. He past throw the haill Comoun Places of Theologie verie exactlie and accuratlie ; also throw all the Auld and New Testament. And all this in the space of sax yeirs, during the quhilk he teachit euerie day customablie twyse, Sabothe and vther day ; with an ordinar conference with sic as war present efter denner and supper. His lerning and peanfulness was mikle admired, sa that the nam of that Collage within twa yeirs was noble throwout all the land, and in vther countreys also. Sic as haid passed ther course in St. Androis cam in number ther, and entered schollars again vnder ordour and discipline, sa that the Collage was sa frequent as the rouses war nocht able to receaue them. The scolmaister of the town, Mr. Patrik Scharpe, was his ordinar heirar and contubernall, whome he instructed and directed in the maist commo-

dius bringing vpe of the youthe in grammer and guid authors ; whom I hard oftentimes profes that he lerned mair of Mr. Andro Meluill craking and pleying, for vnderstanding of the authors quhilk he teatched in the scholl, nor be all his comentares. Sic lyk Mr. Peter Blakburn, wha tuk vpe the first clas. Finalie, I dare say there was na place in Europe comparable to Glasgw for guid letters during these yeirs for a plentifull and guid chepe mercat of all kynd of langages, artes, and sciences.”<sup>1</sup>

That this picture is not overdrawn, and that the effect of such a teacher remained after he was himself removed, is to some extent proved by the education received at Glasgow by one who could not have benefited by Melville's instructions. Bayle tells us, that in 1600, when young John Cameron, then little more than twenty, left Glasgow for France, “On admira justement que dans un âge si peu avancé il parlât en Grec sur le champ avec la même facilité et avec la même pureté que d'autres en Latin.”<sup>2</sup>

<sup>1</sup> *Mr. James Melville's Diary*, Bann. Club edit. p. 38.

<sup>2</sup> Bayle, *Diction., voce Cameron*. In this article Bayle is speaking from the testimony of foreigners who knew Cameron well, and not from the information of his countrymen, which might have misled him. Indeed, the reader of the *Dictionnaire Historique et Critique* should be warned, that its Scotch biographical and genealogical information is to be taken with some mistrust. The banished Chancellor of Scotland, the Earl of Perth, writing to his sister, Lady Erroll, from Rotterdam, in 1693, tells her—“There is a bookseller in this town, a genteel,

well-bred man, who keeps his coach, etc. He is both very learned and a mighty virtuoso. He is causing make a *Dictionnaire Historique* like that of Moreri's, but it will be incomparably finer. One Monsieur Baile works hard to have it fine and true. This Mr. Baile is a most knowing man. Both he and Leers, who is the bookseller, are my friends, and would fain oblige me by giving an account of my family, and those of my nearest relations. I hope you will give me a short one of my Lord Erroll's, and get my Lord Keith to do as much for his, and it will enrich the book and do us no dishonour. Pray let this be done,

The stimulus given to education survived the generation of zealous scholars that produced it. Glasgow had indeed lost the sympathy of the great fellowship of learning by throwing off the ancient and honoured customs of Universities ; but learning and efficient discipline, and the respect which follow them, were still there, and the College thrived. Laureation, or the degree of Master of Arts, was the only one of the old University distinctions which survived the great Revolution. It was very different, indeed, from the degree which, coming after well-defined studies and preparatory trials, put the final stamp upon the finished scholar, that gave him equality and fellowship with all the scholars of Christendom. Still the title of Master of Arts remained, and the teachers of Glasgow endeavoured to give it something of its old value. As early as 1595, the graduates of the year were arranged and published in classes according to merit ; and it is worthy of remark, that from that time the degree must have risen in estimation, for the number of candidates gradually and almost steadily increased. Whether accidentally or of set purpose, the "laureation" was also rendered imposing by some ceremonial, by crowds of invited guests, and by entertainments and presents, the expense of which it soon became necessary to restrain within definite bounds. Glasgow preserved

and sent over with the first Scotch fleet." — *Correspondence of James Earl of Perth* (Camden Club). The Erroll family was accordingly *honoured* by the article "Hay" in the Dictionary. The paper on the family of Drummond—doubtless communicated by the ex-chancellor, is

carefully guarded by Bayle's note—"Cet article . . . est un mémoire communiqué au libraire le 16 de . . . 1695. On l'imprime tout tel que l'on l'a reçu." Both articles, so far as they pretend to give history, are quite worthless.

its character, and its records scarcely show a diminution of numbers during all the troubles of the seventeenth century. The great principles then brought into discussion rather incited to education ; and if during the great Civil War the actual commotion prevented some Scotchmen from attendance, it was soon more than compensated by crowds of English, outed clergymen's sons, and Non-conformists, for whom there was no toleration in the English Universities, even if they had been willing to sit under the teachers placed there at the Restoration.

Wodrow, speaking of his father's graduation in 1659, tells us that the examination of candidates for degrees was in those days more exact and close than in his own time, "when learning suffers by the too easy admission of many without exact trial, to the honorary title of Master of Arts ;" and he gives some details of the laurea-tion.<sup>1</sup> But a much more minute account of Glasgow study and graduation of that period is found in the contemporary chronicle of one of the band of English students. Josiah Chorley was born in 1652, at Preston in Lancashire, where, he notes, his father's house was "the receptacle of persecuted ministers." After a preparatory education in several good grammar-schools, Josiah was sent to Cambridge, and admitted of Trinity College, under the tuition of Mr. Bainbridge ; but his residence there was not long, "the terms of conformity being strait." He then turned his thoughts to Scotland. His account of his sojourn at Glasgow shall be given in his own words, as found in a little note-book, which he en-

<sup>1</sup> *Life of James Wodrow*, by his Son, p. 18. Edinburgh, 1828.

titles "Chorleyana, or a Register commemorating some of the most remarkable passages of God's providence towards me from my nativity, by Josiah Chorley." The first part of the "Register" was written at Glasgow in 1671-72.<sup>1</sup>

"The Reverend Mr. Roger Baldwin having in his younger days exercised his ministry in Edinburgh, and been well acquainted with Scotland, encouraged several of his acquaintances to send their sons to their Universities, especially to Glasgow, as a place best adapted to their studies, and under the strictest discipline ; and for encouragement he undertook to conduct them thither himself, which was a wonderful condescension. Accordingly, five of us set out from Preston, February 10, 1672, viz., Mr. William Baldwyn, Mr. Peter Green, Mr. John Jones, Mr. Peter Withington, and myself,

<sup>1</sup> I am indebted to Professor Fleming for calling my attention to an extract from this journal, which appeared in the preface to a work published anonymously in 1827. Through the kindness of Mr. Thomas Longman I was enabled to discover the author, and I take this opportunity of expressing my great obligation to Mr. W. Bennet of Chapel le Frith, Derbyshire, for the courteous and liberal permission he has granted me of using this curious journal. He informs me that the volumes came into his hands among the papers of a near relative, the Rev. William Bennett, who was formerly minister of the Independent Chapel at the Pavement in London, an accomplished and highly educated man, and very fond of literary reliques of this kind.

Of the author of the journal, we learn from his own narrative most of his subsequent career. After several engagements as tutor, he became chaplain and

tutor in the family of Sir Thomas Barnardiston, at Ketton, in Suffolk. While there, in 1688, "after King James had sent out a declaration of liberty, he was called forth to preach frequently, almost every week, at Haverhill, Clare, Sutton, in the isle of Ely, Bury, Cambridge," etc. After three years spent at Ketton, he went to be pastor to a congregation at Cambridge — "being solemnly set apart to the work of the ministry, and ordained with fasting and prayer and imposition of hands." In 1690, he married Anne Richardson of Cambridge. In 1691, he removed to be minister to the congregation at Norwich, where he remained many years, having refused a call to the congregation of Salter's Hall. The last entry in this simple record of his pious and useful life is dated January 29, 1713—"Great relief in earnest and repeated prayers under sore troubles. No ease like heavenly ease!"



rejoicing in the happiness of so good a guide. After a prosperous journey, by the will of God, Mr. Baldwin saw us all admitted into the College of Glasgow, and entered into the several classes into which we were directed, and then returned with his servant into England. Blessed be the Lord for inclining the heart of this his faithful servant, not only to counsel, but also to conduct us to this happy place. I was admitted in the Batchelor year, having studied Logic and Philosophy so long in England, and came under the presidency and tuition of that celebrated philosopher, Mr. John Tran, a person whose excellent qualities would fill a large volume to enumerate. I soon found my great account in it, to sit constantly at his feet, for as keen as my appetite was to learning, here was rich provision enough to satisfy it, in daily dictates, disputations, etc. Oh, how sweet and pleasant was this life of strict studies, and daily more and more so, insomuch that I could spare no time for the ordinary diversions of the scholars ; but when invited by them thereto, have desired to be excused, for this was my seed time, and as I sowed now, I hoped to reap hereafter.

“The good orders of the College were very agreeable to mine inclination. At five o’clock in the morning the bell rings, and every scholar is to answer to his name, which is then called over. The day is spent in private studies and public exercises in the classes ; at nine at night every chamber is visited by the respective regents. The Lord’s days strictly observed, all the scholars called to the several classes, where, after religious exercises, all

attend the Primar and Regents to church, forenoon and afternoon, and in the same order from church. Then in the evening, called again to the classes, and then come under examination concerning the sermons heard, and give account of what was appointed the foregoing Sabbath in some theological treatise, viz., Wollebius, or Ursin's Catechism, etc., and other religious exercises ; and then to supper and chambers ; so that there is no room for vain ramblings and wicked prophanations of the day, if we were so disposed ; and such restraints are great blessings to licentious youth.

"The public worship in the churches, though the Archbishop himself preach, is in all respects after the same manner managed as in the Presbyterian congregations in England, so that I much wondered why there should be any Dissenters there, till I came to be informed of the renunciation of the Covenant enjoined, and the imposition of the hierarchy, etc.

"There is also a comely face of religion appearing throughout the whole city in the private exercises thereof in the families, as may appear to any that walks through the streets ; none being allowed either in or out of Church time, to play or saunter about ; but reading Scriptures, singing Psalms, etc., to be heard in most houses.

"I was very happy in the society of Mr. William Baldwin, an ingenious and serious gentleman, so long as he staid with us, being chamber and bed-fellows ; but he entering in the Magistrand class, laureated this year, and then returned into England. And now the vac-

tion commencing, Mr. George Glen, a student in theology under the famous professor thereof, Mr. Gilbert Burnet, took me into his chamber and bed. With this gentleman I have much edifying conversation for promoting learning and piety; the Lord help me to improve my season. . . .

“This year I fell into a stricter amity with Mr. Ralph Ainsworth. We had been school-fellows many years before at Blackburn, and he had been some time at the College of Dublin, and from thence was come to Glasgow before me. He was an eager and subtle disputant, was commonly styled in the College *universale a parte rei*, for his stout maintaining that point against all opponents. He and I met every morning about four or five, and every evening at eight of the clock, at our chamber in short days, and in the College walks or some appointed fields in the long days, and disputed over the principal questions in philosophy, to no small advantage (I’m sure at least) unto myself. Blessed be the Lord.

“1672, *April* 1.—We of the magistrand class now in the beginning of April concluded our lecturing, in order to prepare for the ensuing Laureation. All the scholars that designed to take their degrees assembled to assess one another for defraying the expenses; chose collectors of the money assessed, and treasurers, whereof one was for the Scotts, and I for the English; and also stewards to provide gloves and the printing of the *theses*—one on white satin for the patron, and an appointed number on paper. My tutor would engage me to be the publick orator at the Laureation. I declined it, and

earnestly begged his excuse, till I obtained it. But then he would not excuse my journey to Edinburgh to invite the grandees there to our Laureation ; so that I went, furnished with gloves, and *theses*, which I first presented to the patron, the Laird of Colchun, upon white satin. I then waited upon the Archbishop of Glasgow, Dr. Leighton, at his chamber in the Colledge, whereof he had been formerly master. After presenting the service of our Colledge and Tutor, and invitation to our Laureation, I craved his acceptance of the *theses*, which he thankfully accepted ; but presenting then the fine fringed gloves, he started back, and with all demonstrations of humility, excused himselfe as unworthy of such a present. I humbly urged his acceptance ; he still retired backward, and I pursued him till he came to the end of the chamber, and at last prevailed. But it was amazing to see with what humble gratitude, bowing to the very ground, this great man accepted them. This was agreeable to his whole deportment at Glasgow, where the history of his deep humility might fill a volume. Then waited on Sir James Turner, the Steward of our University : Then on Dr. Burnett, our Divinity Professor,<sup>1</sup> but he was out of town attending the Earl of Tweeddale in his last illness. On the morning before my return, I, calling at the Doctor's lodgings, found him returned. He was in bed ; sent for me up ; made me sit down on his bedside, after I had delivered my message to him. Then he told me he was come home this morning as

<sup>1</sup> "This is that Dr. G. Burnett who William the Third."—*Marginal note of J. Chorley.*  
was made Bishop of Sarum by King

soon as the Earl was dead. After much more discourse about the affairs of our Colledge, and his compliments to my tutor, I took my leave of him, and soon after, of the city, and returned to Glasgow with all expedition ; was kindly received by my good tutor, to whom I related all the transactions, and delivered all the compliments, etc. Blessed be God for good success in this journey.

“ The day after my return home came on the famous Laureation in the Trone Church (the Colledge-hall, the usual place, not being capable to receive the number of scholars and the grand concourse of the learned clergy and gentry who were invited from all parts, besides a vast multitude of spectators), wherein, after our Regent in the pulpit had prayed in Latin, and opened the design of that solemnity in an eloquent oration, and propounded the Theses, came on the disputations, wherein every clergyman and gentleman present, or as many as would, called out what scholar he pleased for his respondent, and opposed upon any thesis that he read ; the Regent all the while moderating in the pulpit. This was a long exercise ; which ended, the publick orator (Mr. J. L. [Jonathan Low], my chamber-fellow, an Englishman, who had accepted the office after I had declined it) pronounced his declamation very well. Then were all the scholars sent out into the churchyard, waiting to be called in by our Regent according to his judgment of their degrees in learning, to be observed by the whole assembly. The first call was Arthure Hamilton (a Scots gentleman), the second, ‘ Josias Chorley.’ I not thinking myself worthy of that degree, put my friend, cham-

ber-fellow, and orator on going in my room. He readily accepted it and went in. I waited till his turn came to be called : then as I was going, I laid hold on Mr. Ainsworth to thrust him in my room, esteeming him a better scholar than either of us, but he refused it, so that I must go in, though (I thought) before many my betters. This being over, we all stood in order in the Church. Then the Primar (the learned Mr. Wright) read his injunctions to us out of the Colledge Statute Book, pronouncing the title of Master of Arts over us : which done, the Regent concluded all with a solemn prayer and thanksgiving.

"These things being ended, all we that were officers assembled to defray all charges and adjust all accounts ; which we did to the content of all the scholars by whom we were entrusted. Then all agreed to present the surplusage to our Regent. But before this was done, it was agreed (as usually) that every officer should have a dollar for his pains. I opposed the motion, and would have paid 1s. 6d. that I had laid out at Edinburgh for two small books out of the Colledge money ; but they would not receive it, saying, the trouble of my journey deserved a better gratuity. But it was carried against my inclination for every one to take half a dollar, which we did,<sup>1</sup> though I thought our excellent Regent deserved the best of our service. This being deducted, we presented a large purse as our valedictory, which was thankfully accepted."

<sup>1</sup> " *N.B.* -This troubled me many years after, forgetting some circumstances, so that I sent a letter of ac-

knowledgment to Mr. Tran, and with it a guinea, begging his pardon and prayers to God."—*Marginal note of J. Chorley.*

"Having dispatched all our affairs, all we Englishmen hasted homeward, setting out the next afternoon (July 19) towards Edinburgh, whence (after a short stay there) we made our way by Berwick, Newcastle, Durham, etc., every one to his home, and I to Preston." . . .

The *thesis* of the Master of Arts in the time of Chorley was a single essay, composed by the Regent, but subscribed by the whole candidates for Laureation, all bound to defend their thesis against all impugnors. In later times, the Glasgow *thesis* assumed the usual form of an individual dissertation by each candidate for the degree.<sup>1</sup>

<sup>1</sup> James Wodrow's thesis, at his graduation in 1659, was printed (probably at Edinburgh). The historian says,— "They are printed 1659 and publickly defended, postridie Nonas Quintileis, preside Roberto Areskino, in æde sacra *Franciscanorum* Glasguae." — *Life of James Wodrow*, by his Son, p. 18. The first year in which I have met with individual theses of Glasgow graduates is 1713. Mr. David Laing, to whose acquaintance with the literary history of Scotland I am much indebted, in common with all who have worked on such subjects as the present, has in his collection several theses of that year. The style of the announcement is uniform, and one specimen is therefore enough:—

*Dissertatio philosophica inauguralis  
de gravitate aliisque viribus naturalibus  
quam  
cum annexis corollariis  
favente summo numine  
auctoritate dignissimi vice-cancellarii  
Joannis Stirling v. d. m. ss. th. prof.  
primarii nec non  
amplissimi senatus academici consensu  
et celeberrimæ facultatis artium decreto  
pro gradu Magisterii summisque in phi-  
losophia et artibus liberalibus privilegiis  
et honoribus rite ac legitime consequendis*

*in auditorio publico academici Glasguensis*

*ad diem Junii hora post merid.  
propugnabit Colinus M'Laurin Scotus  
Prov. 3. 19. Deus sapientia fundavit  
terram, stabilivit celos prudentia.*

The dedication is— *Viro reverendo mro.  
Danieli M'Laurin ecclesie ad cellam  
Finani pastori fidelissimo patruo suo  
spectatissimo ob affectum curamque plane  
parentalem, patris charissimi loco semper  
honorando.*

The impress is of R. Freebairn, Edinburgh, and the date 1713. It was in that year that the establishing of a bookseller's shop and printing press within the University of Glasgow was enforced, by the "consideration of our being obliged to go to Edinburgh in order to gett one sheet right printed."—Duncan's *Literary History of Glasgow*, 119. The want was soon to be supplied, and a thesis of Joannes Sherman, of 1716, has the impress, *Glasguae ex officina Donaldi Goran Academiæ typographi*. Francis Hutcheson's inaugural oration in 1730 bears simply *Glasgovæ typis Academicis*. It is dedicated to all the Professors by name, and since it is so rare that Mr. Duncan had not seen it, a few extracts may be acceptable. I am

We learn something of the mode of conducting the studies in the University, at the beginning of the last century, from documents collected by a writer to whom Glasgow owes more than is generally known.

In a paper among Wodrow's collections, it is asserted that till the beginning of the year 1710 there had for many years been no public prelections in the University, but at that time it was resolved that in certain classes public prelections should be held.<sup>1</sup> On 25th August 1712, the Faculty appointed the Professors within two days to give in an account of their way of teaching and

again indebted for the use of my copy to my friend Mr. Laing :—

*Postquam in hac academia, literarum humaniorum atque philosophiæ studiis sex annos delissem a loco gratissimo privatae me rationes atque officia in Hiberniam amovere, ubi, laboriosissimis mihi atque molestissimis negotiis implicito exigua admodum erant ad bonas literas aut mentem colendam otia. Non levi igitur lætitia commovebar cum almam matrem Academiam post tertium decimum annum me suum olim alumnum, in libertatem asservisse audiveram, atque viros ornatissimos Academiae moderatores et professores quos sanctorum olim parentum loco colui me sibi collegam cooptasse. Mihi quidem veterum parentum haud immemori, adeo non acerbum visum est, relicto amantissimo natali solo*

*. . . antiquam exquirere matrem  
Unde genus duxi . . .*

*ut venerandam Scotiam, virorum fortium et doctorum parentem, neque hoc seculo effietam cujusque fecunditatem nulla imminuet vetustas, expetere arderet animus.*

*Nescio qua dulcedine me agniturum speraram, prout nunc agnosco, ip̄ a loca, ipsa ædificia, hortos, agros, riparum toros, ubi olim curis vacuus, lætus hilarisque versabar. Animum vero præcipue*

*subiit hæc ipsa Academia doctissima atque gravissima in hoc ipso auditorio atque scholiis privatoribus professorum Acroamata. Ut delector hæc loca revisens ubi prima veri investigandi elementa hauseram; ubi immortales Homeri et Virgilii sublimitates degustaveram, Xenophontis, Horatii, Aristophanis, Terentii dulcedines, elegantias, facetias, lepores, sales, Ciceronis item locupletissimam in omni philosophia venustatem et amplitudinem, atque in patrociniiis copiosam et vehementem contentionem! Ubi primum virtutis naturam et causas quæsieram atque eternas illas numerorum et figurarum rationes quibus innitur hoc mundi universi stupendum opus indagare fueram conatus! immo vero Dei ipsius æterni, cujus vi, mente et consilio cuncta administrantur, naturam potentiam, sapientiam et benignitatem: Atque ubi hæc omnia altius animo insederunt atque inoluerunt, postquam leni et amico sermone, libera et verecunda disceptatione, sæpius pensitata fuerant inter amicissimos sodales dum in hortis Academicis aut in agro amænissimo suburbano quem placido flumine alluit Glotta spatiaremur! Hæc omnia recordanti mei in Scotiam profectio amœna, læta, videbatur. . . .*

<sup>1</sup> In Duncan's *Literary History of Glasgow*, p. 112.



managing their several provinces, in order to the amendment of anything that may be amiss or defective. The reports made by the Professors, though they have not been found by the present writer, fortunately did not escape the notice of a previous labourer in the same field. They contain a precise statement of the manner of teaching each class at that time.<sup>1</sup>

The Professor of Divinity read and explained each session John Marckius's *Medulla*, collating therewith the Scotch Confession of Faith. Two days of the week were set aside for exercises, and Saturday for prayer and conference privately. There was a meeting for "polemic conference" "once in a week or two."

Professor Law used the old way of teaching Philosophy, "by dited notes and disputes in all the parts of philosophy." The disputations were sometimes three days in the week, and were never neglected. The lessons were got by heart.

Mr. Dunlop, Professor of Greek, taught Verney's Grammar in the Bajan class,<sup>2</sup> and occupied the whole

<sup>1</sup> Duncan's *Literary History of Glasgow*, p. 112.

<sup>2</sup> The *Bajan* or freshman class is not peculiar to Scotch Universities; *Bijaune*, *Bejaune*, *Bejaunium*, are words well known in academic and clerical French and Latin of two centuries ago. Their etymology has been questioned, but no better than the received one has been suggested, and their meaning is not doubtful. *Ce mot a été dit par corruption de bec jaune par la métaphore des oisons et autres oiseaux niais qui ont le bec jaune, ce qu'on a appliqué aux apprentis en tous les arts et sciences*—*Rudis, tiro, imperitus . . . ainsi on faisait prier autrefois aux écoliers de Druit leur*

*bejaune pour dire leur bien venue.*—*Dict. de Trevoux.* *Bejaunium*—*quod a novis scholaribus nomine jucundi adventus a condiscipulis exigebatur* (Ducange),—is found in the statutes of the University of Orleans in 1365, of the University of Toulouse, 1401, 1457, and of Paris. Universities and even Councils thundered against the extortions of *Bejaunia*, in vain. In the University of Vienna the *novellus studiosus, qui ad academiam nuper accessit* was called *Beannus*, a word which occurs in the scholastic slang of the middle ages, equivalent to our *new caught*.

The second year's class was called *Semi*, with which half the curriculum of

season chiefly with it—the authors whom he names being evidently read only as illustrative and subordinate to the elementary instruction.<sup>1</sup> Mr. Dunlop was a long time Professor of Greek, and was esteemed for his knowledge of the language, and his manner of teaching it; but students who spent the first season in learning the Grammar, and limited their study of the language to another, could but poorly maintain the character of the school where Andrew Melville had taught, and John Cameron had learnt Greek.

The first half of the eighteenth century was a period of stagnation in Scotland. If the University of Glasgow partook of the general lethargy of that half century,<sup>2</sup> it shared also in the energy and progress that marked the next age of Scotch history. To prove this, it is enough to point to the names that made Glasgow famous in the past hundred years, omitting those still alive. No other school of learning within so short a period can boast of an array of teachers like Cullen and Black in chemistry and medicine; Hutchison, Reid, Adam Smith in mental philosophy; Moore, Young, and Sandford in Greek literature; John Millar and Jardine in what may be called the art of education. To add to the distinction conferred by her great masters, the University of Glasgow,

Arts was completed. The third year's was the *Tertian* or *Bachelor* class; the fourth, the *Magistrand*, each named from the degree to which it immediately led. These names are still in use at St. Andrews and Aberdeen. There is no mark of their having been used anciently at Glasgow.

<sup>1</sup> Duncan's *Literary History*, p. 122.

<sup>2</sup> It will scarcely save the University from this charge, that the Faculty was vigorous enough to stop the "design by a gentleman from England to give a course of experimental philosophy in the city,"—being "of opinion that the encouraging of the said design was neither for the interest nor reputation of the University."—November 4, 1725.

within the same period, has had the singular fortune of producing the printing press of Foulis, and being the birthplace of the discoveries and inventions of James Watt.<sup>1</sup>

Although the term "University," like "College," is improperly applied to a building, yet it is natural enough to name the building from the body which occupies or frequents it; and it becomes interesting to trace the successive local habitations of an old and renowned University, and its subordinate bodies.

The earliest statutes of the University of Glasgow directed the solemn meetings, and indeed all meetings of the members, to be—*in loco per Rectorem deputando*—in such place as the Rector of the University (the highest officer elected by themselves) should think convenient. But the Rectors, for the most part canons, and the Chancellor, the bishop, brought the meetings to be usually held in their cathedral,—the cradle, indeed, of the University.

The first general Chapter of the University, held in 1451, for the incorporation of members, met in the

<sup>1</sup> This time, it was "the Trades" of Glasgow who stood by their exclusive privileges, and would have strangled in their birth the inventions which have benefited their city even more than the rest of the world; but "the University interfered, made a grant in favour of young Watt of a small room in their own buildings, permitted him to establish a shop, and honoured him with the title of their mathematical instrument maker."—Arago's *Eloge of James Watt*, translated by J. P. Muirhead, 1839, p. 11. That little shop in the

College buildings "became a sort of academy, whither all the learned of Glasgow resorted to discuss points of the greatest nicety in art, science, and literature."—*Ibid.* p. 13. It was there that Watt mended the model of Newcomen's steam-engine, and thus gave his mind to improve the application of steam as a motive power. How much turned upon the patching of that toy! I believe the little model repaired by James Watt is still preserved with affectionate reverence.

Chapter-house of the Friars Preachers, where the College Kirk now stands, and there forty members, mostly Churchmen, several dignitaries of the Church, were at once incorporated and sworn ; and Mr. David Cadyow, precentor of the church of Glasgow, was chosen Rector.<sup>1</sup> The next congregation, in the presence of the Bishop, their Chancellor and founder, was held in the Chapter-house of his Cathedral. And in the Chapter-house of the Cathedral for the most part, sometimes in the lower Chapter-house, were the subsequent congregations of the members of the University held, down to the time of the Reformation.

The ancient statutes of the Faculty of Arts ordained the annual meeting of the Masters and Students of that Faculty, for the election of their Dean, to take place in the Cathedral, at the Altar of St. Nicholas (probably in the Crypt). But the first congregation of the Faculty in 1451, was held in the Chapter-house of the Cathedral ; the next in the Chapter-house of the Friars Preachers ; the three following in the Crypt below the Chapter-house of the Cathedral.<sup>2</sup> Sometimes the meetings of the Faculty were at the statutory place, at the altar of St. Nicholas, sometimes at the altar of the Virgin, both in the Crypt, and occasionally in the Chapter-house of the friendly Friars.

It was in the Chapter-house of the Friars that Master David Cadyow, "Precentor of the Church of Glasgow and Rector of this august University," read lectures in

<sup>1</sup> He was continued Rector next year.

<sup>2</sup> *In domo inferioris capituli—in in-*

*feriori capitulo*—that is, in the more ancient and lower Chapter-house.

Canon Law, and Master William of Levenax lectured in Civil Law, in the year 1460. Here, too, in 1521, Friar Robert Lile, Prior of the Convent of Dominicans, and Bachelor of Theology, in presence of the Rector, the Dean of Faculty, and the other Masters, and under the presidency of Dr. John Adamson, Provincial of the Order in Scotland, "commenced" the reading of the fourth book of the "Sentences"—*incepit pro forma lecturam quarti libri sententiarum*.<sup>1</sup>

But before that time the Faculty of Arts had buildings which they called their "schools," in which their Masters taught; a dwelling-place for students of Arts, which was named "collegium," in which they had their "chambers" and common table. This, without any doubt, was the building long known as the "auld pedagogy,"<sup>2</sup> in the Rotten Row.

It is not easy to determine when the schools and chambers of the Faculty of Arts were removed from their ancient seat to the new pedagogy, built on the property bestowed upon them by Lord Hamilton in 1460.

<sup>1</sup> The notice is brief and not precise, but it seems to record that Prior Lile on that occasion received the degree of Doctor of Theology in the congregation of the University, held in the Church or Chapter-house of the Friars Preachers. The convent of the Dominicans, itself an elder daughter of the episcopal church of Glasgow (*Book of our Lady College*, xxxviii.), and destined finally to become the property of the University, was probably chosen for those early Academic solemnities on account of the spacious buildings for which the monasteries of the Friars were everywhere renowned. The history of the conventual Church of the Friars Preachers, through

all its fortunes, will be found in the preface to the collection of their muniments joined to the *Book of our Lady College*.

*Cum vero duplicis generis sint collegia—alia in quibus docetur et exercetur juvenus, quæ pedagogia vulgo nuncupanturque regimini Decani et Facultatis Artium subjacent . . . alia soli scholarium alimentatiōi deputata.—Andreas, Fasti Loranenses.* We have only an allusion to the titles of the parson of Luss's house in the Ratton Raw, taken in feu by the Laird of Luss, "and called Auld Pedagogy," which, it is feared, are now lost.

At a general congregation of the Faculty of Arts in 1453, after some provisions touching the "general responsions in the town"—*in vico*—as opposed, it would seem, to the Chapter-house or Church, and even to the Rotten Row, there is a levy ordered for repairing the school "in the said place," for general "acts," and furnishing it with benches and a chair for the President. In 1457, the Masters Regents were straitened in paying "the rent of the *pedagogy*," by reason of the poverty, war, pestilence, and fewness of students in the preceding year; and next year and for five successive years the Faculty gave all that was in its purse "for building of the pedagogy"—*in edificatione pedagogii—circa edificationem domus pedagogii*.

We may conclude that this was the "Collegium Facultatis Artium," in which the annual banquet of the Faculty was to be celebrated on the Sunday or Feast next after the Translation of St. Nicholas (9th May), when all the Masters, Licentiates, Bachelors, and Students, after hearing matins in the Chapel of St. Thomas the Martyr, rode in solemn and stately procession, bearing flowers and branches of trees, through the public street, from the upper part of the town to the Cross, and so back to the College of the Faculty, and there, amid the joy of the feast,<sup>1</sup> the Masters took counsel for the welfare of the Faculty, and gave their diligence to remove all discords and quarrels, that all rejoicing in heart might honour the prince of peace and joy. After the banquet the whole crowd of Masters and Students were

<sup>1</sup> *Cum letitia corporalis refectiois.*

directed to repair to a more fitting place of amusement, and there enact some interlude or other show to rejoice the people.<sup>1</sup>

In 1460, the Faculty was busied about "the construction of a house on the south side of the College of the Faculty of Arts." Now, if it be held that this College of the Faculty of Arts was identical with the pedagogy on which the Faculty had been bestowing its common fund so long, the next notice settles where that was, for it records "the annexation and union of Sir Thomas Arthurlee's place or mansion to the pedagogy." This was in 1475, fifteen years after the Hamiltons had granted to the Faculty of Arts the tenement on the east side of the High Street, between the Convent of the Friars Preachers on the south, and Sir Thomas Arthurlee's land on the north, and eight years after Sir Thomas Arthurlee had given to the Faculty his house and land, which was their former boundary. In 1460, therefore, the pedagogy, and if that was identical, the College of the Faculty of Arts was in progress of building on the east side of the High Street, between the Friars Preachers and Arthurlee's mansion—that is on the exact site of the present College. But it is not doubtful that the "pedagogy" of that time was the same with the "College," for we find, in 1480, all the money in the Faculty purse devoted to the repairing of "the pedagogy or College"—*pedagogii seu collegii*. On the 19th of October 1485, the houses of the "pedagogy" were again in need of repair against the approaching winter. Next year repairing

<sup>1</sup> The Masters were to be the actors, if possible.

the “riggin stainis” of the “pedagogy” cost £4, 10s. In 1491, Mr. Covyntre’s chamber in the “pedagogy” required repair; and three years later “Master John Hutchison, having been active in building the new kitchen, and probably also in the repairing of the new hall of the pethagogy, and having already held the honourable office, was re-elected Dean of the Faculty, in consideration of the great benefits he had conferred in the building and repair of the “College of the Faculty of Arts.”

It seems to result from this enumeration that “the old pedagogy” in Rotten Row was used by the Faculty of Arts only in the very first years of the University—being perhaps in existence and used as a Chapter school before the Papal foundation<sup>1</sup>—that the Faculty of Arts finding it insufficient before 1457, rented a place for their schools, and in 1460 acquired by gift of the Hamiltons a tenement (probably the same previously rented), on the site of which the present building of the College stands.

The buildings of the Pedagogy, or the College of the Faculty of Arts, had not been completed when the storm of the Reformation began. The Crown Charter of 1563 narrates that a part only of the schools and chambers had been built. The unfinished edifice of that time must have been a mere ruin in a century after, scarcely to be used with advantage for more than the foundations of a new structure. Upon the restoration of the College

<sup>1</sup> It is not altogether unreasonable to suppose that it may have been that school of the Chapter to which the Rector called the attention of the University

in 1582—*scholas canonum ruinosas per quas servitur toti universitati*, and upon repair of which the University was at considerable expense in 1580.



the zeal for some time took a different direction, and it was not till 1631 that preparations were made for restoring the ruined buildings in part, and erecting the present fabric on their site. The actual masonry was begun in the following year, and the building as it now stands may be said to have been completed in 1656. The subscriptions of contributors, the details of the building, and the accounts of its expense, are all given in the collection of the muniments—it may be thought by some at too great length. The architect of the edifice is not recorded ; its characteristics are those of Heriot's Hospital and other Scotch erections of the time. Principal Fall records with some pride, that in his time (in 1690) the rail of stone ballusters was put up on the Great Stair which carries up to the Fore Common Hall, “with a Lion and a Unicorn upon the first turn.”

While the present “Collegium,” coming in the place of the Faculty of Arts of the ancient University, enjoys part of its property and its buildings in that character, it must not be forgot that it represents at the same time the ancient University itself, and it is in the latter capacity that it holds perhaps its most ancient possession *in mobilibus*—THE MACE. Mr. David Cadyow, precentor of the Cathedral, and first Rector of the University, on the occasion of his being re-elected to that office in 1460, made the munificent contribution of twenty nobles towards the making of the University Mace, and the members, by common consent of all the Nations in the statutory congregation of the University, on the Feast of St. Crispin and Crispinian 1465, submitted to a tax

for the same common end.<sup>1</sup> Finally, in 1490, directions were given for the reforming and correction of the silver mace at the expense of the University. It would appear that the emblem of office was now perfected, for no more collections are found for it ; while in 1519, Master Robert Maxwell, Chancellor of the diocese of Moray, being elected Rector, and having regard to the safety of the more precious Mace, fit for only the most solemn occasions, presented to the University a cane staff, set with silver at its extremities and middle, to be in all time coming borne before the Rector on the smaller feasts and at common meetings.

The Mace now preserved in the Faculty-room of the University is of silver, measuring 4 feet  $9\frac{3}{4}$  inches in height, and weighing 8 lb. 1 oz. The top is hexagonal, with a shield on each side. On the first shield are the City arms : on the third, the arms of Douglas of Dalkeith, as borne by the Regent Morton, the restorer of the College ; the fourth has the coat of Hamilton, the first endower ; the fifth, of Scotland ; the sixth, of Turnbull, the founder of the University. The second shield is occupied with the inscription (in modern letters), *Hæc virga empty fuit publicis Academiæ Glasguensis sumptibus* A.D. 1465 : *in Galliam ablata*, A.D. 1560 : *et Academiæ restituta*, 1590. The workmanship is very good, and may be of the date asserted in the inscription, or a little later. The arms upon the shields must have been supplied after the "restoration," or new erection of the

<sup>1</sup> The noble, an English coin, was half a mark, or 6s. 8d. English. Its value already would have sounded much higher

in Scotch money, though our currency had not yet sunk to its lowest degradation.

University, and, if at the same time with the inscription, not earlier than last century.

Some records "of the common table," and of what may be called the domestic economy of the College, suggest reflections not unmixed with regret. In all the Universities of Scotland the old collegiate life so favourable for scholastic discipline has been abandoned. Perhaps the increasing numbers rendered living in College under the master's eye inconvenient ; though some modification of the system of living in the Universities and the great schools of England might meet the difficulty. The present academic life in Scotland brings the master and the student too little in contact, and does not enable the teacher to educate in that which is more important than scholastic learning, nor to study and train the temper, habits, and character. If the alternative which has been chosen inferred that the student enjoyed the benefit of parental or domestic care when out of the lecture-room, the change might be less objectionable ; but when we observe the crowds of young men brought from distant homes to our Universities, dwelling at large and altogether uncontrolled except in the class-room, we may look back with some regret to the time when the good Regent of a University, living among his pupils, came in the parent's place as well as master's. But it was not only the discipline of the University that was benefited by the collegiate life. The spirit of fellowship that existed among young men set apart for the common object of high education was on the whole favourable though liable to exaggeration and often running into prejudice. Nearly

all that common feeling of the youth of a great University is gone. The shreds of it that are preserved by the dress, scarcely honoured in the crowded streets of a great city, and the rare occurrence of a general meeting of Students, serve only to suggest to what account it might be turned for exciting the enthusiasm and raising the standard of conduct among the youth of Scotland. If collections of University muniments, in revealing the old machinery of the scholar life, tend in any degree to the renewal of the bond of common feeling among the younger students, and of sympathy with their teachers, they will not be useless.

It may be useful to point to two additional sources of information. Principal Baillie's *Letters and Journals*, among a store of civil and ecclesiastical information, give innumerable notices of Glasgow College matters which are rendered more interesting because no official minutes of the College are preserved during that period. To him especially we owe a full and very minute narrative of the affairs of the University from the forced abdication of Dr. Strang, and an amusing account of the quarrels of Principal Gillespie with the Magistrates of the city. The account of the University, published in the last volume of the old *Statistical Account of Scotland*, is by Dr. Thomas Reid. Nothing that came from his pen is insignificant, but this essay contains not only valuable opinions of the philosopher living among the institutions he is describing, but a history of the change from collegiate life which demands attention here, because it is in some things opposed to the views expressed

above. "It appears that the ancient constitution of the University of Glasgow in the distribution of sciences and modes of teaching, as well as in the form of its government, was very similar to that of all the other Universities of Europe. The alterations which it has undergone in later times are such as might be expected from the changes of opinion with respect to literary objects, and from other varying circumstances." "The University of Glasgow was anciently possessed of a jurisdiction similar to that of the other Universities of Europe, and exercised a similar discipline and authority over its members. A great part of the students were accommodated with lodgings in the College, and dined at a common table under the inspection of their teachers. While this mode of living continued, almost everything was the subject of restrictions and regulations. But for a long time this practice has been discontinued, and the severity of the ancient discipline has been a good deal relaxed. The lodgings in the College rooms, after the disuse of the common table, became less convenient; and at present, no students live within the College, but a few of considerable standing, whose regularity of conduct is perfectly known and ascertained.

"These deviations from the ancient usage were introduced from the experience of many inconveniences attending it. The common table, by collecting a multitude of students so frequently together, afforded encouragement and temptations to idleness and dissipation; and, though the masters sat at table along with the students, yet few advantages of conversation could be attained.

. . . Besides, from a general alteration in the habits and manners of the people, the academical rules in these matters were found troublesome both to the teachers and the students. Hence, attendance at the common table became a kind of drudgery to the masters, from which they endeavoured to escape, or to which they submitted in their turns with reluctance ; while the students procured dispensations, or permissions to have their commons in their own apartments. This latter was found to be a source of expense and dissipation, not more unfriendly to literature than to morals. The common table, it is said, became a source of mismanagement and imposition, which could not easily be remedied.

“ This change in the mode of living has been attended with much comfort and satisfaction to all the members of the University, by superseding many strict regulations, and of course rigorous penalties, which, in the former situation, had been thought necessary. Neither has it produced any bad effect upon the manners and behaviour of the students. . . . The most certain and effectual mode of discipline, or rather the best method of rendering discipline in a great measure useless, is by filling up regularly and properly the time of the student, by interesting him in the objects of his studies and pursuits, and by demanding, regularly and daily, an account of his labours.”

## ABERDEEN UNIVERSITY.

The fifteenth century, the age of revived letters and intelligence through Europe,<sup>1</sup> was the chief era of Scotch University foundations. The University of St. Andrews was founded in the beginning of the century, Glasgow in the middle, and Aberdeen at its close. The last, like the former two, owed its birth to the Bishop of the diocese ; and its founder, Bishop Elphinstone, had a large experience of what was beneficial or defective in other Universities.

The situation of the new school of learning may have in some degree influenced its constitution. It was represented to the Pope that, in the north of Scotland, were some districts so distant, and separated from the places where Universities had already been established, by such obstacles of mountains and arms of the sea, and dangers of the way, that the natives remained rude, unlettered, and almost barbarous, insomuch that persons could hardly be found there fit for preaching the word of God, and ministering the sacraments of the Church. Aberdeen was held to be "sufficiently near" for educating the people of those rude regions ; at any rate it had the advantage of possessing a Bishop with zeal enough to give

<sup>1</sup> Without attempting to define accurately the limits of the "dark ages," and the dawn of the returning day, the fifteenth century is plainly enough the era of actual enlightenment. The dispersion

over Europe of Greek books and Greek teachers, by the fall of Constantinople ; the invention of printing, and the discovery of the New World, awakened the soundest sleepers.

the endowment, and sufficient influence to obtain the royal and papal privileges necessary for a university.

While we allow for some exaggeration in stating the necessity of the new foundation, it was not easy to overstate the physical and ethnical impediments to education in the Highlands and Isles of Scotland. These, to a great degree, remain unconquered at this day. But it would be a mistake to join under the common description of barbarous ignorance the district in which the new University was founded, or indeed any part of the eastern coast or Lowlands of Scotland. Centuries before the era of our oldest University, the whole corn-bearing land of Scotland was occupied by the same energetic tribes, whether Saxon or Danish, who colonized England. Towns were built wherever a river's mouth gave a haven for small ships in the dangerous coast. Trade was carried on with the kindred people of Flanders, Holland, and Normandy; and the hides and wool of our mountains, the salmon of the Dee and Tay, and the herring of our seas, were exchanged against the cloths of Bruges, the wines of Bordeaux and the Rhine; and the table luxuries, as well as the ornaments of dress and art, which found admirers among us long before we appreciated what are now counted the comforts of life. A trading and friendly intercourse with the continental nations would, of itself, go far to prove some intelligence and education.

But this is not left to speculation. Master Thomas of Bennum writes himself "Rector scholarum de Aberdeen" in the year 1262;<sup>1</sup> and we learn, at a later

<sup>1</sup> *Registrum de Aberbrothoc.*



period, that these were proper burghal schools, endowed by the community, and under the patronage of the magistrates. In 1418, we find a schoolmaster of Aberdeen—*Magister Scholarum burgi de Aberdene*—presented by the alderman and the community; when the Chancellor of the diocese, the inducting officer, testifies him to be of good life, of honest conversation, of great literature and science, and a graduate in arts.<sup>1</sup> Sixty years later, but still prior to the foundation of the University, the “Master of the Grammar Schules of Abirdene” had the respectable salary of five pounds yearly, “of the common gude of the tounne,” until he should be provided with a benefice in the church of St. Nicholas.<sup>2</sup> It was in the next century that Master John Marshall, master of the Grammar School of Aberdeen, “inquirit be the Provost whom of he had the same school—grantit in judgement that he had the same of the said good Town, offerand him redly to do thame and thair bairnis service and plesour at his power.”<sup>3</sup>

The chief difficulty in any attempts at popular education must have arisen from the scarcity of books. But, after all, that was not greater on the eve of the grand invention of printing, than it had been in all ages of the world before. It did not press more heavily upon the Scotchman of the fourteenth century, than it did on the Italian contemporaries of Petrarch and Boccaccio, than it had done upon the people who appreciated the verse of Sophocles, and the rhetoric of Demosthenes,

<sup>1</sup> *Magna literatura et sciencia.*—*Burgh Records of Aberdeen*, Spalding Club, p. 5.

<sup>2</sup> *Burgh Records of Aberdeen*, Spalding Club, p. 37.

<sup>3</sup> *Ibid.* pp. 80, 97.

and the philosophy of Plato. How this impediment to instruction was overcome, is for us difficult to understand. That it was overcome, we know. Among other means to supply the defect of books, public dictation was, perhaps, the chief, and this explains much of the method of the old Universities, where time was given to writing down verbatim the *dictata* of the master, which might have been better bestowed, if books had been common, in obtaining a full knowledge of the subject of his lecture.

The scarcity of books had one effect which has not been enough considered. It tended to congregate students in masses. One public library afforded the seeds of learning to multitudes who could not buy books. The teaching of Abelard opened to thousands whom his writings could never reach, the mysteries of a new philosophy. The comparing of opinions, the disputations, the excitement of fellow-students, the emulation—even the enthusiasm arising from the mere crowd engaged in one pursuit—made up in part for the want of books, which was one of the causes that compelled the multitude to come together. Universities were infinitely more necessary when books were scarce.

In 1411, the Bishop of St. Andrews founded his University. Forty years later, the rival see of Glasgow followed; and in 1494, Bishop Elphinstone of Aberdeen obtained the Papal constitution for the *studium generale* or University of his Episcopal See. The Pope bestowed the usual privileges of a University (of which Bologna and Paris were the patterns), and licensed masters and

doctors, whether ecclesiastical or lay, to teach, study, and confer degrees in Theology, the Canon and the Civil Law, Medicine, and Arts. Such were the simple operative words by which the recognised power of the Head of the Church admitted the new University and its members to the great fellowship of the scholars of Christendom.

There is nothing here of endowments or of Colleges. By what may be called the public University law, all masters and doctors were entitled, and even bound to "read," that is, to teach, in their several faculties, for a limited time after obtaining their degrees, in the University where they graduated. That was the only provision for teaching by the ancient constitution of the Universities of all Europe; and the constitution and early practice of Bishop Elphinstone's mother University of Glasgow were not different. But the primitive liberty of teaching, and of choosing masters, had some manifest disadvantages, which induced first the Italian, and afterwards other foreign Universities, to exchange the free competition of "reading" graduates receiving a small fee from each student, for a limited number of salaried teachers. This new system was followed by Bishop Elphinstone, and he engrafted upon the papal erection of the University, ten years after its date, a full collegiate body,<sup>1</sup> sufficiently endowed, for teaching the several faculties, and for the service of the church which he founded in immediate connexion with his University.

<sup>1</sup> He himself calls it a "Collegiate Church or College." The ecclesiastical purposes were very prominent. The whole endowed members of the College were at first thirty-six, increased by the second foundation to forty-two.

The endowment of the College was all obtained by the Bishop's own means or influence. The young king made a small donation in aid of the new fabric, when he passed by in one of his pilgrimages to Saint Duthac ; but it does not appear that he assisted the foundation otherwise, except by consenting to the annexation of the Hospital of St. Germain, and allowing the new University to bear his name.

The papal erection declared the Bishop *ex officio* Chancellor of the University. No provision was made for the appointment of the other high officer of the University, the Rector ; his election being left to the common University law which placed it in the votes of the general body of the University. In like manner, the election of Proctors by the *nations*, according to the ancient and uniform practice of Universities, is taken for granted, not prescribed.

The Rector of the University, if a stranger, or the Official, if the Rector was himself a member of the College, with the advice of four masters chosen by the four nations of the University, had the duty of yearly visitation of the College.

The persons composing the College were elected in such a manner, that, though the Rector of the University and the Proctors of the four nations had voices, the real power lay with the chief members of the College.

The obtainer of the Papal and Royal privileges for the University, himself the founder and endower of the College and its Church, Bishop William Elphinstone, has

left a name to be revered above every other in the latter days of the ancient Scotch Church. His biographer, Boece, sufficiently zealous, and living so near in time and situation that he could not be uninformed, has given only a general account of his descent *ex veteri Elphinstonorum familia*; and the same silence might be thought allowable now, were it not for the mis-statements of later writers. There is no doubt that he was, like so many well-educated men of his time, the offspring of a churchman, who could not legally marry, but whose connexion and family, in violation of his vows, were then tolerated by society, and almost sanctioned by the practice of the highest of his order.<sup>1</sup> His father was William Elphinstone, rector of Kirkmichael and Archdeacon of Teviotdale, whom there is better reason than tradition for believing to have been of a branch of the baronial house which was ennobled as Lords Elphinstone, and enriched with the lordship of Kildrummy by James IV.<sup>2</sup> He is asserted by Keith, following Crawford, to have died in 1486, "after he had the comfort of seeing his son Bishop of Aberdeen." If we are to rely on the same authorities, William Elphinstone (the

<sup>1</sup> Crawford and Keith have covered this disgrace under the convenient and pious fiction that the Bishop's father took orders "after he became a widower."—*Officers of State; Catalogue of Scotch Bishops*.

<sup>2</sup> Elphinstone went abroad at the expense of an uncle, Lawrence, who lived at Glasgow. Boece tells us that the Bishop was very bountiful in gifts to the family *unde ei origo*, and raised many Elphinstones to opulence. Andrew

Elphinstone of Selmys, who was undoubtedly a son or very near kinsman of the chief family, had two brothers, named Lawrence and Nicholas. In 1499, Andrew of Selmys resigned the lands of Glak which he held of the Bishop, in favour of his brother Nicholas and the heirs-male of his body, whom failing, to his own heirs-male, whom all failing, to return to the Church at Aberdeen.—*Boece, Vit. Episc.; Reg. Mag. Sig., and Morton Charters at Dalmahoy*.

Bishop) was born in 1437,<sup>1</sup> educated at the pædagogium and University of Glasgow, and only, at the mature age of twenty-four, received his degree of Master of Arts, at the same time that he took priest's orders, having been for some years diverted from study by family and secular affairs. He studied canon law for several years at Glasgow, and practised as an advocate in the church courts. Then he retired to Kirkmichael, where he rusticated for some years on his father's benefice, devoting himself to the cure of the parish.<sup>2</sup> From this life he was roused by his uncle, Lawrence Elphinstone, *vir optimus*, who stimulated his ambition, and assisted him with the means to study at the most celebrated schools of the Continent. He spent a long time at the University of Paris. Elphinstone's biographer describes his habits while studying at the University—"All day hearing preachers or professors of the canon law; by night, in solitude, recalling what he had heard during the day: most sparing of sleep and of food; most patient of labour, so that it was hard to say whether he studied more by day or by night." We read this of Elphinstone, with a wish to believe it true, though our biographer's unlucky rhetorical turn makes us suspect he might have said as much for one not so deserving. But, in the facts which follow, there can scarcely be a mistake. After completing his studies, he was appointed to fill the place of *primarius lector* in

<sup>1</sup> Crawford cites no authority for the date of his birth, and is probably wrong. Boece says he was in his 83d year when he died: the *Epistolæ* of Bishop Dunbar states that he was in his 84th.—*Regist. Episc.* II. 249.

<sup>2</sup> *Pastorali cura ei collata.* We do

not know whether Boece meant that the benefice was conferred on him, as Keith imagined, or, what is more probable, that he acted as his father's curate. In the loosest times, the Canon was very strict against a father and a son serving at the same altar.

the University—an office, as Boece remarks, conferred only on the most learned—and he “read” canon law for six years there. Then, having received his degree of Doctor of Decrees, he migrated to the University of Orleans, and stayed some years studying the most abstruse and difficult parts of law with the professors there, who, at that time, had the highest reputation in legal science. His learning, and some opportunities he had of expounding law in public, brought him so much into notice, that his opinion was asked on great questions even by the Parliament of Paris. Boece records Elphinstone’s extreme intimacy and friendship with Jean de Ganai, who afterwards rose to great distinction as a lawyer and statesman, and was, successively, First President of the Parliament of Paris and Chancellor of France,<sup>1</sup> a friendship that may have been serviceable afterwards to the Bishop and Chancellor of Scotland on his several embassies to the French court.

Elphinstone returned to Scotland in the ninth year after he had gone abroad, according to his biographer.<sup>2</sup> He was Official General of the Diocese of Glasgow, and

<sup>1</sup> It may help us to dates, which Boece never furnishes, to observe that De Ganai was admitted Councillor in the Court of Aids, 30th October 1481; Fourth President of the Parliament, 27th June 1490; First President of the Parliament, and Chancellor of France, 31st January 1507: Died 1512.—*Moreri*.

<sup>2</sup> It is impossible perfectly to reconcile Boece’s narrative with the dates fixed by the records of the University of Glasgow. Some confusion arises also from the identity of name and sometimes of office, in the father and the son. But it

would seem that even more than two persons of the name must have held benefice in the Church, and place in the University of Glasgow at the same time.

William Elphinstone, apparently our Bishop’s father, is styled Canon of Glasgow from 1451 down to 1483, holding the offices of Dean of the Faculty of Arts (1468), Prebendary of Ancrum (1479), Archdeacon of Teviotdale (1482). The following dates seem to apply to the Bishop:

1457. William Elphinstone “scolaris” matriculated.

Dean of the Faculty of Arts of the University in 1471-2. In 1474, he was chosen rector of the University. Boece says that the office of Official was of great dignity, and given only to the most learned. We know that at that time the church courts, besides the load of properly consistorial cases, monopolized a great part of civil business. They were, in truth, the only settled and organized judicatures in Scotland, and were alone presided over by educated lawyers. Boece says Elphinstone was a severe judge, keeping in his mouth the adage—"He hurts the good, who spares the bad." His reputation in the office at Glasgow obtained him, in 1478, promotion to the place of Official of Lothian, then probably the second judicial office in the kingdom,<sup>1</sup> which he filled for two years, sitting in Parliament and serving on the judicial committees, which formed the supreme civil jurisdiction in Scotland. In 1481, he was made Bishop of Ross, though some delay took place in his consecration, perhaps on account of his birth.

Elphinstone was nominated Bishop of Aberdeen in the autumn of 1483.<sup>2</sup> According to his biographer, he

1459. He took his Bachelor's degree.

1462. He took his Master's degree, "post rigorosum examen."

1462-4. Active in University affairs.

1465. W. de Elphinstone *junior*, rector of Kirkmichael, was a regent in the University.

1471-2. W. Elphinstone was Official-general of the Diocese of Glasgow, and Dean of the Faculty of Arts.

1473. Master William de Elphinstone, Official, took the degree of Licentiate in Canon Law, and was Dean of the Faculty.

1474. W. de Elphinstone, Official, a Master of Arts, Licentiate in Decrees, and Rector of Kirkmichael, was chosen Rector of the University.

<sup>1</sup> The Great Justiciar of Scotland being the first, whose functions were not merely *in criminalibus*. The Official of St. Andrews principal was higher in rank, but perhaps with less business in his court than the Official of the Archdeaconry of Lothian, which included Edinburgh.

<sup>2</sup> Apparently between 14th October and 20th November. His consecration took place between 17th December 1487 and April 1488.



went on an embassy to France before that time ; for, though he gives no date, he tells us it was to Louis XI., who died in that year, and adds, that his first bishopric was the reward for his service in it. The oration which he puts in the ambassador's mouth we may safely trust was not delivered ;<sup>1</sup> and it will not lessen the good bishop in our eyes, if we abate something of the influence which Boece attributes to him in the councils of the weak and unfortunate James III. We know, from evidence of record, that he was employed in embassies to France, England, Burgundy, and Austria,<sup>2</sup> and that, for a few months before the death of King James III., he held the office of Chancellor of the kingdom.<sup>3</sup> He lost his great office on the accession of the young king, but was speedily restored to favour and to the royal counsels, and seems to have been keeper of the Privy Seal from 1500 till his death. Apparently as soon as he was appointed to the Bishopric of Aberdeen, more especially after he had ceased to be Chancellor, Elphinstone, though still occasionally called to serve his country in foreign missions, and to guide the councils of the gallant young monarch, devoted his chief attention to the affairs of his diocese ; and it is not often that a prelate has left such a tradition of goodness, or so many proofs, still extant, of great benefits conferred. His first cares were to reform his clergy, and restore the service and the fabric of his cathedral.<sup>4</sup> Next

<sup>1</sup> *Orationis non sententiam solum sed et verba, ne quid varietur, visum est referre.* Some of the words are not wise.

<sup>2</sup> *Regist. Episc. Aberdon.* p. 304.

<sup>3</sup> From 21st February 1487-8, till the

death of the king on St. Barnabas' day, 11th June 1488.—*Pleadings in Montrose Dukedom Case*, 1853.

<sup>4</sup> John Malison was employed by him to restore the ritual books and the ser-

was the University. His last undertaking was the bridge over Dee, a more important, as well as a more arduous undertaking than men of this age can easily believe.

He did not live to complete all his great designs, but he had provided for their completion in substantial wise. With no private fortune, and without dilapidating his benefice, he provided for the buildings requisite for his University and collegiate church, and for the suitable maintenance of its forty-two members; and the cathedral choir, the King's College, and the old grey bridge spanning the valley of the Dee, are monuments to his memory that command the respect of those who have no sympathy with his breviary, rich in legends of Scotch saints, and who would scarcely approve of his reformed Gregorian chant. His picture we love to fancy a true likeness, though painted by a flattering artist:—"He was most splendid in the maintenance of his establishment, seldom sitting down to dinner without a great company of guests of the gentry, and always with a well-furnished table. In the midst of such temptations, he himself, abstemious, but cheerful in aspect, gay in conversation, took great delight in the arguments of the learned, in music, and in decent wit: all ribaldry he detested. He had talent and energy for any business of public or private life, and could adapt himself equally to civil or church affairs.

vice of the church, as well as its music, which was to be of the ancient manner—*priscus atque patrum more cantus*. "To this man," says Boece, "the Aberdonians owe whatever of music, whatever of perfect service is found in the northern church. Seldom will you find a man of

Aberdeen, well taught in the art of singing, who has not learnt of him."

Bishop Elphinstone began the restoration of the choir of the cathedral which had been built, as Boece erroneously says, by Robert I., but not of size or beauty suitable to such a church.

He seemed of iron frame, and was of indomitable courage in enduring labour,—one whom no toil, no exertion, no public or private duty, not age itself, could break. In his eighty-third year he discussed the weighty affairs of the state more acutely than any man ; and showed no decay of mind, or any of the senses, while he preserved a ready memory, which, indeed, knew not what it is to forget. His old age was happy and venerable, not morose, anxious, peevish, low-spirited. Age had worked no change on his manners, which were always charming ; nor did he suffer anything till his very last sickness, for which he could blame old age.” Having dissuaded the English war, and survived to mourn the fatal field of Flodden, he died, amid the universal love and sorrow of his diocese and his country, on the 25th October 1514.

Long afterwards, a great philosopher, who, like Elphinstone, had been connected with both the Universities which he was comparing, observed that there were “two obvious defects in the ancient constitutions of the University [of Glasgow] ; the first, that no salaries were provided for regular lectures in the high faculties ; . . . the second defect, that there was not sufficient power over the University to remedy disorders, when these became general, and infected the whole body.” And then, alluding to Aberdeen, he continues : “Either from the experience of what Elphinstone had seen in the University of Glasgow, or from a deeper knowledge of human nature, he supplied in his University both the defects we have observed in that of Glasgow : for he gave salaries,

not illiberal for the times, to those who were to teach theology, canon and civil law, medicine, languages, and philosophy, and pensions to a certain number of poor students; and likewise appointed a visitorial power, reserving to himself, as Chancellor, and to his successors in that office, a dictatorial power, to be exercised occasionally, according to the report of the visitors.”<sup>1</sup>

To work out his great plan of mixed religion and education, Elphinstone found qualified persons, for the most part at home, and probably in his own chapter. Two only he brought from abroad, Hector Boece and William Hay. They were both natives of Angus, and had spent their schoolboy days together at Dundee, and afterwards prosecuted their studies at the College Montaigu of Paris, where Boece was lecturing in philosophy, when Elphinstone, himself perhaps of the same college, induced him to undertake the duties of *Primarius*, or Principal of the infant seminary at Aberdeen.

It is not necessary to speak much of a person so well known as the historian of Scotland, and indeed there is little to tell of the events of his life. His estimation as a teacher is gathered partly from the tradition of the University, and partly from the list of eminent men whom he enumerates as instructed by him. He seems to have been rather a good Latinist than a scholar imbued with the riches of classical study. That he was of the reforming party of the day—the *humanists*, as they were called in the continental schools—we learn from his own expressions, from his friends and associates, and

<sup>1</sup> *Account of the University of Glasgow*, by Dr. Thomas Reid.

especially from his profound admiration for Erasmus,<sup>1</sup> with whom he had even the honour of corresponding. As a historian, he was at first admired and followed, and latterly condemned, in both cases much beyond reason. His object was to give a classical dress to his rude native chronicles. One must doubt whether he really meant his grave readers to credit his stories of "Veremund" and "Cornelius Campbell," and the records from Iona. He found, over a large period of his history, bare lists of kings, and he took the pains of dressing them in what he thought suitable characters and actions. Quite unembarrassed by facts, he proposed to treat his subject like an artist, with the proper balancing of light and shadow, and studied to administer among the persons of his drama some sort of poetical justice. Leslie compares him to Livy, and his most fabulous portions are perhaps not more romantic than Livy's first decade. The difference lies in the genius of the writers.<sup>2</sup>

<sup>1</sup> *Nostre atatis splendor et ornamentum: nullus pene locus est in Europa adeo inaccessus ubi non ejus viri decora.* — *Aberd. Episc. Vitor.* p. 60.

<sup>2</sup> A few circumstances less known may be collected here concerning Hector Boece.

John Jonston, the author of the *Hecroes*, addresses some Latin verses—*Hectori Boetio et duobus fratribus*—among which are,

*Concordes animas, clarissima lumina gentis,  
Tres paribus studiis, tres pietate pares* /—

*MS. Adv. Lib.* 19, 3, 24, p. 28.

One brother, Arthur, is mentioned with due honour by Hector Boece, in recording his fellow-labourers at Aberdeen:—*Arthurus Boetius mihi germa-*

*nus, in pontificio jure doctor, in civico (ut dicunt) licentiatius, vir multæ doctrinæ, plus literarum indies consecuturus, quod studium ei permanet animo indefesso; nobiscum jura pie et scite profitetur. Est in eo vis et gravitas eloquendi a vulgari genere plurimum abhorrens.* — *Aberd. Episc. Vitor.* p. 63. He was reader in Canon Law in the University, Treasurer of the Cathedral of Brechin, a Canon of the Cathedral of Aberdeen, and a Lord of the Session, upon its institution in 1532. The Pollock *ms.* names, as one of the ambassadors to England in 1532-3, "Mr. Walter Boyis, persone of Snaw;" that is, of the "Ecclesia B. Mariæ ad nives" (*Diurnal of Occurrents*, p. 17), supplying, perhaps, the third brother, who was not hitherto known. The name of Boece, in all its varieties of spelling,

Of William Hay, his companion through life, we know little but what we learn from Boece. He records his friend's industry, and the pleasure he took in the business

was common among the vassals and tenants of the Abbey of Arbroath in the fifteenth century.—*Reg. de Aberbr.* II.

The accomplishment of Hector Boece was not confined to Roman literature. He had attained some reputation for his skill in physic. In the last illness of Thomas Crystall, Abbot of Kinloss, when other hope had failed, Mr. Hector Boece was called in to prescribe for him—*virum percelebrem M. Hectora Boethium ad se vocavit.* etc.—(*Hist. Abbat. de Kynlos*, p. 82)—where perhaps commenced his acquaintance with John Ferrerius, who was at that time teaching the Abbey School, and who afterwards superintended an edition of Boece's history, adding a chapter to the work. Hector Boece took his doctor's degree in theology in 1528, when the Council of the burgh of Aberdeen made him a *propine* of a tun of wine, or £20 Scots, "to help to buy him bonnets."—*Extracts from the Burgh Records.*

Boece's *Lives of the Bishops of Aberdeen* was printed at Paris in 1522. The reprint for the Bannatyne Club (1825) has been used in these notes. His *History of Scotland* was likewise published at Paris, without date, about 1527. A second edition, with a short continuation by Ferrerius, was printed at Lausanne, published at Paris, in 1574. The book was calculated to produce impressions of admiration and distrust; and we may perhaps detect a mixture of both feelings in the notice of Paulus Jovius: *a prima origine Scotorum regum historiam Latine diligenter perscripsit, passim veteris chorographiæ memor et moderatæ libertatis nusquam oblitus ita ut magnopere miremur extare de remotis ab orbe nostro Hebridum et Orcadum insulis mille amplius annorum memoriam quum in Italia altrice ingeniorum,* etc., cited by D. Buchanan "*de Script. Scotis*"—not verified.

The reader of Boece's History may be pardoned for wishing—if not that he had belonged quite to the opposite party in literature—at least that his classicism had condescended to call common things by common names. He is averse to speak of barbarous native institutions, and when he does, Scotch titles and offices, put with his laborious periphrasis into a Roman dress, are often not recognisable. In this affectation he has been followed by abler historians.

Boece is not to blame for the invention of the fabulous antiquity of his University, as Strachan conjectured (*Panegyricus Inauguralis* 1631, p. 11). The historian's words are, speaking of Alexander II.—"*Alexander inde Aberdoniam, jam ante a Gregorio, a Malcolmio inde secundo ac postea a Davide Wilhelmi fratre, privilegiis agrisque donatam . . . adiens, multis et ipse privilegiis ornat.*"—*Hist. fol.* 293, v. This has plainly nothing to do with the University, of which Boece calls Elphinstone "*auctor ac institutor*"—(*Vit. Episc.* p. 60). The fable originated with some of the learned and zealous Scots abroad,—with "Bertius," "Junius," or "Clerkius," to whom it is traced by Douglas. (*Academiæ Vindiciæ in quibus novantium præjudicia contra academias etiam reformatas averuncantur.*—*Aberdoniæ Jac. Brounus urbis et academice typographus*, 1659.) David Chalmers takes some credit for forbearing to place the origin of the University of Aberdeen as high as the Trojan war, but adds—*sufficiet ergo ad Alexandri Scotorum Regis tempora referre. Is enim sub annum Domini 1211* (this recklessness of chronology was then common) *multis magnisque illam privilegiis ornavit. Quibusdam antiquior visa est; sed quod dicimus est verissimum!*"—*Camerarii de Scot. fortitudine, etc. Parisiis*, 1631, p. 56.

A rhyming translation of Boece's life

of education, with the success which attended their joint labours, in the production in a short time of many well disciplined in theology, canon and civil law, and very

of Elphinstone, "be Alexander Garden, Aberdone, 1619," is still extant, though not published among the author's poetry. It is in the manner of the worthy Master Zacchary Boyd. His allusion to the Bridge is as follows:—

"And yet a work als great  
And necessar much more  
Unto his oune, his countrie's good,  
And both their greater gloir,  
Annon their-after he  
Resolved and first intends,  
That everie age and ey that vieus,  
Admires yet and commends.  
This was the bridge our Dea,  
Which every man may mark,  
Ane needful most, expensive great,  
A good and gallant wark;  
Knit close with quadrat stones  
Free all, incised and shorne;  
Of these the pend with arches sevine  
Supported is and borne.  
Scharp poynted butresses  
Be both that breaks and byds  
The power of the winter speats,  
And strenth of summer tyds.  
Above it's beawtified  
With ports and prickets four;  
And all alongst rayled is,  
And battail'd to look our.  
A great and goodlie work  
Which how long't stands and stayes,  
It aye shall mater ministratt  
Unto the author's praise."

Of the College buildings—"a manour for the muses meit"—we have not much:—

... "he builds  
A statlie structure thair,  
A fabrick firm and fair,  
Which hes a temple tabulat  
Of polished stones and squair,  
With tables, celrings, seats,  
Lights of discolor'd glass.

A strait strong steeple too,  
A pleasant princelie frame,  
Beaut'f'd with bells within; without,  
Deck't with a diadem."

H. Boece died probably in 1536, for on 22d November in that year the king presented John Garden to the rectory of Tyrie, vacant by the death of Mr. Hector Bois.

A good deal of misapprehension has existed about the emoluments of the first Principal of the Bishop's College. Dr. Johnson, like all modern English writers, mistook the ancient constitution of Universities, when he spoke of Boece as "president of the University," and was misled as to the old value of Scotch money, when he called his "revenue of 40 Scottish marks about £2, 4s. 6d. of English money." The depreciation of our currency had indeed begun, but had by no means reached the height here supposed, in the times of James IV. and James V. Without entering on a complicated and difficult inquiry in a note, it may be a sufficient correction of this error to point to one or two ascertained facts. In the year 1365, the coinage of Scotland was ordered by Parliament to be equivalent and conformable to the current money of England. In 1525, the Scotch gold crowns, with an alloy of only a twenty-fourth part, were of the weight of nine to the ounce, and passed for twenty shillings each: the silver groat, proportionably fine, of which eleven weighed an ounce, passed for eighteen-pence. Uncoined gold was then bought at £7 by the ounce, and silver for 17s.—*Acts of the Parliament of Scotland*, vol. II. Forty marks, £26, 13s. 4d. Scotch currency was certainly a better provision in Scotland then, considering the expense of living in the two countries, than £26, 13s. 4d. sterling would have been

many in philosophy—"permulti in philosophia."<sup>1</sup> The merit of his labours must have been acknowledged, since, after filling the office of Sub-principal for a long period, upon the death of Boece in 1536, he was chosen to succeed his friend as Primarius or Principal of the College.<sup>2</sup>

The only other of Boece's original coadjutors whom he commemorates, is John Vaus the *grammaticus*, or humanist, as that teacher was afterwards called—in *hoc genere disciplinæ admodum eruditus, sermone elegans, sententiis venustus, labore invictus*.<sup>3</sup> Little is known of

in England; so trifling was the degradation of our currency in Boece's time. The learned Dr. Irving has also pointed out that this was not the only preferment which Boece enjoyed. He held the rectory of Tyrie as a Canon of the Cathedral. Moreover, in 1527, the year of the publication of his history, King James v. bestowed upon him a pension of £50, which apparently was doubled two years later.—*Liber Responsionum in Scaccario*. These sources of income considered, there is no reason to doubt that in emolument, as well as in social position, Hector Boece was greatly above any Principal of a Scotch college of the present day.

<sup>1</sup> In his *Lives of the Bishops*, published in 1522, Boece gives a list of scholars distinguished in theology, law, and philosophy, who had already been educated at Aberdeen, pp. 62, 63.

<sup>2</sup> Among the mss. in the Library of King's College is a collection from various authors, forming a supplement to the commentary of Marsilius de Inghen on the fourth book of the *Sentences* of Peter Lombard, marked several times with W. Hay's name as its compiler. At the end is this note:—*Absolutum utquumque est hoc opus super sacramentum matrimonii et impedimenta ejusdem, in alma Universitate Aberdonensi collectum, promulgatum et publice lectum*

*in magnis scholis Regalis Collegii Aberdonensis, coram theologorum ibidem convenientium solenni auditorio, per venerabilem virum magistrum Guilelmum Hay prefati collegii pro tempore subprincipalem; ejusdemque impensis et sumptibus in hanc publicam lucem redactum per manum sui proprii scribe, viz., fratris Guilelmi Scenan, Carmelite, cujus labore et industria in ethicis atque plerisque aliisque codicibus per eum collectis usus est prefatus Subprincipalis, A.D. 1535, mensis Julii 23. Regnante Jacobo quinto Scotorum principe invictissimo; venerandoque patre et domino d. Vilelmo Stewart sedem episcopalem Aberdonensem dexterime moderante.*

<sup>3</sup> *Vit. Episc.* p. 66. Vaus has left some interesting grammatical works, though now chiefly valued by the bibliographer. They are extremely rare. His first book—a commentary on the *Doctrinale*, or rhythmical elements of Latin Grammar of Alexandrinus—is printed by the Ascensii at Paris. It is a small quarto without pagination. The signatures are A-M, each of eight leaves. On M. vii. r. is the colophon, *Sub prelo Ascensiano Ad Idus Martias, M D XXII*. The introduction, by Iodocus Badius Ascensius, addressed *Studiosis Aberdonensis Academicæ philosophis*, commends the labour of Vaus, and his courage in venturing through the dangers of pirates



him ; yet it can never be said we are altogether unacquainted with one who has written and printed books.

It is pleasant to mark the history of our University by the contemporary progress of the art which seems so

and a stormy sea to the press of Ascensius to get his rudiments multiplied. He speaks of him as *nostri studiosus et nostræ professionis admirator insignis* ; and of his own favour for the new University, *idque nominibus et multis et gravibus, primo quod ejus proceres et institutores fere ex hac nostra Parisiensi et orti et profecti sunt*. Then comes an address by Joannes Vaus himself to his scholars, who all knew, he says, *quanta plusculis jam annis et mihi docendi et vobis discendi molestia ac difficultas fuerit ob librorum præsertim penuriam et scribentium dictata nostra negligentiam ac imperitiam*. He boasts a little of his courageous journey to Paris—*per maxima terrarum et marium discrimina, piratarumque qui injustissimi sunt latrocinia*, and acknowledges his obligation to his printer, Ascensius, *in re grammatica doctissimus*. The volume concludes with an epistle from Robert Gray, who had been a pupil of Vaus, and a regent at Aberdeen, but dates from Paris *ex collegio bonæ curiæ*, exhorting the studious youth of Aberdeen to imitate his and their common preceptor, John Vaus—*optimis literis, amœnissimo ingenio, suarissimis moribus singulari probitate, gravitate fide atque constantia præditum*.

The next work which we know of Vaus, is *Rudimenta puerorum in artem grammaticam, per Joannem Vaus Scotum*. The first edition is not known. The second gives no introduction nor personal notice of its author. It is a small quarto, not paged, with signatures, double letters A-H, all of eight leaves, except G and H, which have each only six. A fine colophon of the Ascensian press, gives *Hec rudimenta Grammaticæ impressa sunt rursus prelo Iodici Badii Ascensii Scoticæ linguæ imperiti : proinde si quid in ea erratum est, minus*

*est mirandum. Finem autem acceperunt viii Calend. Novemb. 1531*. This is a good specimen of early printing, especially the part in black letter, and beyond measure valuable to a Scotchman studious of the early language of his country, a great part of the book being in Scotch, though devoted only to Latin Grammar. *Indicativo modo* is translated "schauand mode ;" *Optativo modo*, "yarnand mode." In the chapter *de verbo* we find—"The imperative mode, it biddis or exhortis, as, ama, lwf thow : amemus, lwf we. The optative mode it yairnes or desiris, as vtinam amarem. The coniunctive mode it spekis of dowl, as cum amem, quhen i lwf." The chapter *de constructione oratoria* ends thus : "Bot yit of ane thing vill ye be aduertit, that rewlis of oratre ar changeable eftyr the iugment of weill imbutit eiris, for nay thing is mair delectable in eloquens thane variete, and craiftius spekyne without greit apperans of the sammyn, for les offendis the eir (at the leist in our quotidiane spekyne) facile fluand congruite thane thrawine effekkit eloquens apperand ouyr crafty."

Another edition of the *Rudimenta*, with many changes and a different concluding chapter, has the title *Rudimenta artis grammaticæ per ioh. vauz scotum selecta et in duo diuisa. . . . Parisiis ex officina Roberti Masselin, 1553*. Vaus had been long dead, and at the end of this edition, is an address by Alexander Skene, congratulating Master Theophilus Stewart (the humanist) and the students at Aberdeen *sub illius ferula militantibus*, on the completion of the work which he had conducted. The book is of the same size with the former ; the signatures A-E, all eights, except G, which has only five leaves, A-D all fours. At D ii are three pages of the *Statuta et*

essential to learning, that we cannot now easily conceive how education could go on without it. It was apparently by the influence of the founder of King's College that the first printing-press was established in Scotland ;<sup>1</sup> and its first sustained effort was in giving to the world his *Breviary of Aberdeen*. Twelve years later, two of the teachers were at press with works connected with the University—Boece with his *Lives of the Bishops of Aberdeen*, and John Vaus with his first *Essay in Grammar*.

We have no means of ascertaining the success and popularity of the new school in its first age. The num-

*leges ludi literarii Grammaticorum Aberdonensium*, which have been printed in the Miscellany of the Spalding Club, vol. v. p. 399. The boys might not speak in the vernacular, but were indulged in "Latin, Greek, Hebrew, French, or Gaelic!"

These several works or editions of Vaus, in the library of King's College, are at present bound up with a tract of Joannes Ferrerius, defending the poetry of Cicero, *Paris*, 1540. This last is dedicated to Bishop William Stewart in an epistle (dated at Knylos, 4 Cal. December 1534) which speaks of the University of Aberdeen as then of high reputation *celeberrimam apud Scotos hoc potissimum tempore (absit verbo invidia) Academiam*. Ferrerius does not help us to new names, but his notice shows that the continental scholar esteemed the teachers of the new school, while he excited them to greater exertions. *Viros quos habes in ditone tua doctissimos et veteranos in re literaria milites, huc bene adigas, viz, ut scholas in tantum curent ne quid etiam apud Scotos in melioribus literis desiderari possit amplius. Nec est quod vereare ne non sint hi qui tuis in hac parte votis respondere possint. Sunt enim multi quos probe (nisi mea me fallit opinatio) novi, qui ab eruditione multiplici non Aberdoniis tantum sed et in præstantis-*

*sima universi orbis academia principem locum meritis ac preter omnem ambitionem retinere queant. Quid enim cum in cyclicis disciplinis omnibus tum historiis Hectore illo Boethio eruditius simul et elegantius! quid in sacrarum literarum mysteriis Gulielmo Hay expeditius et jucundius! ad sublevandas autem corporum ægrotationes, geographiæque peritiam, quid Roberto Gray doctore medico magis aptum atque blandum cogitari potest! In sacrarum vero canonum et pontificiarum legum responsis non facile invenies quem cum Arthuro Boethio compareas. Postremo loco (ut reliquos interim ornatos et peritos viros omittam) quid illo Joanne Vaus nostro in re grammatica et omnibus bonis literis tradundis vigilantius! Prætereo et illud cum aliis multis referre, quibus videlicet moribus gentis vestre universam nobilitatem jam olim ornare non desinat."*

<sup>1</sup> The Royal privilege granted 15th September 1507, to Chepman and Millar, refers especially to the printing of "legendis of Scottis sanctis as is now gaderit and ekit be ane Reverend fader in God, William, Bishop of Abirdene."—*Reg. of Priv. Seal*. The Aberdeen Breviary with its treasure of "legends of Scottis Sanctis" was printed by Chepman in 1509-10.

ber of its students must have been considerable, to have afforded such a list of distinguished scholars as Boece collected before 1522. We might suspect some partiality or compliment in the praises of the Parisians, who regarded Aberdeen as the daughter of their own University, but Ferrerius had no such motive, when in 1534 he spoke of Aberdeen as the most celebrated of the Scotch Universities at that time.

The year 1541 was one of great honour to our University. In the summer of that year, James v. and his queen, after the death of the two infant princes, made a progress to the north, and were entertained by the Bishop of Aberdeen for fifteen days, being lodged apparently in the College buildings.<sup>1</sup> Bishop Leslie, who must have been present, informs us that they were received there “with diverse triumphes and playes maid be the town, and be the university and sculis theirow, and remainit thair the space of fiftein dayes weill enter-tenit be the bishop; quhair ther was exercise and disputationes in all kind of sciences in the college and sculis, with diverse oratiouns maid in Greke, Latine, and uther languages, quhilk wes mickell commendit be the King and Quene and all thair company.”

<sup>1</sup> *Rex deinde ac plurima nobilitas Regiam ad Aberdonensem Academiam comitabantur*, etc. What is in the text is from the Bishop's original Scotch, which he distilled into his Latin history, p. 159. The two differ slightly. In the Latin, among the entertainments, he particularizes comedies in the theatre; *controversie ex omni artium genere de promptu*; and speeches — *rationes Græca Latinaque lingua summo artificio instructæ*. — *Editio* 1575, p. 430. The

*comedie* were no doubt some of the “mysteries” then so common in church festivities. The orations in *Greek* are more remarkable, and somewhat at variance with our information of the introduction of Greek literature in Scotland. They may have been mere slight attempts at using the new language. The date of the Royal progress has been corrected from the Burgh Register of Aberdeen. Leslie places it a year too early, as Pinkerton has observed.

These imperfect notices of the prosperity of the University bring us to the verge of that great revolution which, after years of struggle and convulsion, was consummated in 1560. It is not to be expected that, during the fierce contest, either the actors on the scene, or those who have recorded their acts, should bestow much attention on the seats where education was still doing her noiseless work. We know few of those who were teachers at Aberdeen before and at the era of the Reformation, but it would appear the members of the College, like the members of the Chapter of Aberdeen, were of that party, more numerous than is supposed, who acknowledged, and would willingly have corrected, some of the corruptions, especially in life and morals, which had crept into the Church, while they were not prepared to take the great leap of the Scotch Reformers.

The University must have declined from the palmy time of its early teachers, when we are first authentically informed of its constitution as reduced to practice. In 1549, Alexander Galloway, Prebendary of Kynkell,<sup>1</sup> was Rector of the University for the fourth time, and has left a record of his Rectorial visitation, held in terms of the foundation, which shows us in part the working of the University, and the inner life of the College. There were no lay teachers in the University, and there were

<sup>1</sup> The Rector of Kynkell was a distinguished friend both to the Cathedral and the University of Aberdeen. He flourished under four Bishops—the last four preceding the Reformation—and was very active in carrying Elphinstone's and Dunbar's plans into effect. He took a great interest in the build-

ings of the College and the Bridge of Dee. It was by his care and expense that the transcripts of the more ancient Church records were formed, which are now preserved in the University Library, and which have been used for the *Registrum Episcopatus Aberdonensis*.—Ker's *Donatus*, p. 17.

evidently very few educating in the College who were not on the foundation, and apparently none who were not preparing for the church, or the practice of the church courts. Bursars of Arts were not admissible unless "mere pauperes," and were all educated and maintained gratis. The teachers were negligent, perhaps from the smallness of their audience. If the Collegiate body was still efficient for the service of the Collegiate Church—its first intention, and for bringing up young churchmen to perform that service, it can have had little reach beyond. The College had sunk into a convent and conventual school; and the design of the University, and the great hopes of its founder and first teachers seemed about to be frustrated.

As yet, there was no alarm felt for the storm which was so near. Although "the spread of heresy" had already drawn the attention of the cathedral chapter, the new opinions are not even alluded to in the proceedings of the visitors of the University in 1549, and whatever were the opinions of John Bisset the Principal, it appears that he was not disturbed on account of them.

The masters of the University were first brought to question in the General Assembly of January 1561, when Knox and the leading Reformers had a sort of disputation or wrangle with the Sub-Principal and the Canonist of King's College, without much profit or honour to either party.<sup>1</sup>

<sup>1</sup> Knox's account of the scene, we have in his History. He tells us that, "in that assemblie was Maister Alexander Andersone, sub-principall of Abir-

dene, a man more subtile and craftye then ather learned or godlie, called, who refused to dispute in his fayth, abusing a place of Tertulliane to cloik

It is superfluous to say that nothing resulted from that conference, which might exasperate, but could not convince. For some years the Lords of the Congregation and the General Assemblies were occupied with more

his ignorance." He gives, however, some passages of the colloquy, in which, he having grounded his opponent, the latter answered, "that he was better seane in philosophie then theology." "Then," says Knox, "was commanded Maister Johne Leslie (the Canonist of King's College, afterwards the well-known Bishop of Ross), to ansuare to the formore argument : and he with grait gravitie begane to answer—' Yf our Maister have nothing to say to it, I have nothing ; for I know nothing but the Canoun law, and the greatest reasone that ever I could fynd thair ' is *Nolumus* and *Volumus*.'"—*Knox, edit.* 1848, II. 138. Wodrow adds—"This afterward came to be a by-name, whereby Mr. Lesly was known."—*Biogr. Col.* p. 25.

This is, of course, an opposite version. but that is not so curious as the difference we find between Leslie's original narrative written among the witnesses of the affair, and his version adapted to the taste of Rome.

The narrative in the vernacular is very general :—"Thair was causit to compeir furth of the Universitie of Aberdene Mr. John Leslye, Official of Aberdene, Licentiat in boith the lawis, Mr. Alexander Andersone, principall of the college, professor of theologie, and sindrie utheris ; quha compeirit befor the lordis in the tollbuith at Edinburgh and being inquirt of the articles of doctryne be John Knox, John Willox, and Mr. Guidman, ministers, thair was very sharpe and hard disputacions amangst thame, speciallie concerning the veritie of the body and bluid of Christ in the sacrament and sacrifice of the Messe. Bot nothing was concludit, for that every ane of them remainit constant in thair awin professione, and thairfore these clarkis of Aberdene war com-

mandit to waird in Edinburgh a lang space thaireftir, and that they shuld not preiche in ony wyis in tymes cumming" (p. 293).

The Latin translation gives more of circumstance and colour—" *Inter alios itaque ex clero et academia Aberdonensi Edinburgum vocati sunt primarii aliquot viri, pietate ac eruditione insigniores, Johannes Leslaeus, jur. u. Doctor, primariusque ejusdem diocesis judex, Officialis dictus, qui paulo postea supremæ Curie Senator, Reginaeque a consiliis, Episcopus Rossensis renunciatus est, Patricius Myrtomus Thesaurarius, Jacobus Straguhinius Canonicus, Alexander Andersonus gravissimus S. Theologie professor ; qui cum coram multis proceribus in Domo civica sisterentur, atque a Johanne Knoxio, Joan. Villosio ac Gudmanno Anglo Calvinii ministris rogarentur ; post rationem fidei a singulis redditam, et constantissimam Catholicæ religionis professionem factam, tandem de Eucharistiae sacrificiique altaris veritate et ritibus, Alexander Andersonus tam docte, constanter, et pie respondit, ut catholicos confirmarit, ac hæreticos ita perculerit, ut post id tempus, de gravioribus religionis mysteriis cum illo, aut quovis alio catholico, nunquam sectarii in pulverem voluerint descendere ; ergo ea pœna his Catholicis professoribus per Proceres irrogata fuit, ne ab urbe discederent, nec a publicis interea ministrorum concionibus abesse ausi sint ; quasi vero mox rhetorculorum lenociniis et verborum fucis a veritate catholica possent abduci, qui rationum pondere, et argumentorum quæ intorserant arietibus non modo non commoveri poterant, sed omnibus communi sensu præditis plane superiores esse videbantur.*"—*Edit.* 1675, p. 530.

pressing matters ; but in 1569 they found leisure to "purge" the University of Aberdeen. "Our Generall Assemblys took a particular inspection of the state of Universitys, especially after they had the countenance of the good Regent the Earle of Murray. Saint Andrews was pretty soon looked after, and some purgation made under Mr. John Douglas, Rector. That of Glasgow was extremely low every way, till Mr. Andrew Melvil was sent to it. In Aberdeen, a good many of the Popish masters made a shift to continow in their places. Several complaints were made by Mr. Adam Herriot, first minister at Aberdeen. After the Assembly, in the year 1569, commission was given to the Laird of Dun to visit that bounds, and particularly the University, with some others adjoynd to him. In July, the Regent, after he had settled the North and Highlands in peace, came to Aberdeen, and, with the council, joyned with the Superintendant and those in commission with him, and effectually purged that nursery of learning."<sup>1</sup> They called before them Mr. Alexander Anderson, now principal, Mr. Alexander Galloway, sub-principal, Mr. Andrew Anderson, Mr. Thomas Owsten, Mr. Duncan Norie, regents, and required them to subscribe articles approving the Confession of Faith, and adhering to the true kirk ; and they, "most obstinately contemning his Grace's most godly admonitions, and refusing to subscribe the articles," were deprived and removed.<sup>2</sup>

We have seen that the principal, Alexander Ander-

<sup>1</sup> Wodrow's *Life of John Erskine of Dun*, p. 22. is dated ult. Junii 1569. -- *Booke of the Kirk*, p. 142.

<sup>2</sup> The formal sentence of deprivation

son, was highly esteemed by those of his own persuasion. He is said, on insufficient authority, to have dilapidated the University and College, wishing that they should perish rather than breed heresy.<sup>1</sup> On the other hand, the tradition of the College records a cause of gratitude to him which will not be disputed. When the mob from the Mearns, who had torn the lead from the Cathedral roof, were gathered with the same intention against the College buildings, the principal resisted, and was fortunate enough to resist successfully.<sup>2</sup> We learn nothing of him, after his deprivation, but his death in 1577, "excommunicatt contrayr the religione and at the kyngis horne."<sup>3</sup>

"Upon the purging of the College," says Wodrow, "Mr. James Lowson was made sub-principal, and Mr. Alexander Arbuthnot, and many other shining lights in this church, taught in that University."<sup>4</sup>

<sup>1</sup> *Sacris Romanis perditæ addictus erat; vir ceteroquin doctus et probus: cumque animo præcepisset gymnasium novorum sacrorum seminarium futurum si superesset, omni ope annixus est ut secum desineret. Supellectilem pretiosissimam abalienavit et intervertit, fundos et decimas damnosis infeodationibus et elocationibus prodegit; academix archiva tabularia censuales et diplomata seu chartas quas vocant quantum in ipso fuit, suppressit et celavit, omnem denique rem nostram, prope erat, delapidavit et decoxit.—And. Strachani Panegyricus inaugurális. Aberdoniis, Edwardus Rabanus, 1631, p. 26.*

Of Anderson's wilful dilapidation there is no evidence. The printed collection from the University Archives of itself disproves part of what is laid to his charge, and as he lived for some time,

without being called to account for embezzlement, though under church censure and "at the king's horn," we may indulge the hope that a man so respected was not a common plunderer.

<sup>2</sup> *Alexander Andersonus ultimus Collegii Regii Principalis ante instauratam religionem, cum plebs Merniensis ecclesiam cathedralem Aberdonensem tecto plumbeo spoliata diripiasset, et continuo ad templum Collegii Regii reliquiasque cedes Musis sacratas diripiendas devolare, forti manu vim vi repellere nititur; audacem fortuna juvante, integra et intacta huc usque manent augusta Musarum tecta.—Donaldes, Auct. Joanne Ker, 1725, p. 17.*

<sup>3</sup> Cullen's Obituary, *Spald. Misc.* ii. 44.

<sup>4</sup> *Life of John Erskine*, p. 25.



We know not the fate of the teachers ousted at the Reformation. They were mostly in church orders. Some may have found shelter among the great families who still adhered to the old faith: others probably sought employment among the bands of Scotch scholars, who were already numerous in all the continental Universities. Indeed, long before the definite era of the Reformation, the disturbed state of the country, and the tumult in men's minds, had rendered Scotland no country for philosophical education. There was more pressing work to do, before the attention of the Reformers could be cast so far forward, or devoted to the peaceful and unexciting business of training a new generation. If the civil power, and, still more, if churchmen in power (of either party) interfered, it was generally to pull down rather than to build up—to persecute a popular adversary rather than to encourage an orthodox teacher.

Even this state of public affairs and of public feeling will not of itself account for the remarkable state of the Scotch scholar life of the sixteenth and seventeenth centuries. The want of employment, the insecurity, the poverty at home, only in part explain the crowd of expatriated Scotchmen who were during those centuries teaching science and letters in every school of Europe. There was something in it of the adventurous spirit of the country—something of the same knight-errantry which led their unlettered brothers to take service wherever a gallant captain gave hope of distinction and prize money. It was not enough for one of those peripatetic scholars to find a comfortable niche in a University,

where he might teach and gain friends and some money for his old age. The whole fraternity was inconceivably restless, and successful teachers migrated from college to college, from Paris to Louvain, from Orleans to Angers, from Padua to Bologna, as men in later times completed their education by the Grand Tour. The University feeling and the universal language of that day conduced somewhat to this effect. A graduate of one University was "free" of all. His qualifications were on the surface too, and easily tested. A single conference settled a man's character, where ready Latin and subtle or vigorous disputation were the essential points. But whatever were the causes, the student of the history of those centuries must be struck with the facts. The same period which saw Florence Wilson, Scrymger, the elder Barclay, received among the foremost scholars of Europe, in its most learned age, witnessed also three Scotsmen professors at Sedan<sup>1</sup> at one and the same time, and two, if not three, together at Leyden.<sup>2</sup> John Cameron, admirably learned, lecturing everywhere, everywhere admired, moved in 1600 from Glasgow to Bergerac, from Bergerac to Sedan, from Sedan to Paris, from Paris to Bordeaux, to Geneva, to Heidelberg, to Saumur, to Glasgow, again to Saumur, to Montauban, there to rest at last. But the type of the class was Thomas Dempster, a man of proved learning and ability, but whose adventures in love and arms, while actually "regenting" at Paris, at Tournay, at Toulouse, at Nimes, in Spain, in England, at

<sup>1</sup> Walter Donaldson, professor of Greek and principal, Andrew Melville, John Smith.

<sup>2</sup> Gilbert Jack, James Ranisay, John Murlison, in 1603, or a little earlier.

Pisa, at Bologna, were as romantic as those of the Admirable Crichton or Cervantes' hero. Incidentally to his own history, Dempster makes us acquainted with four Scotchmen of letters whom he met at Louvain. He visited James Cheyne, a Scotch doctor at Tournay; succeeded David Sinclair as Regent in the college of Navarre at Paris, and was invited by Professors Adam Abernethy, and Andrew Currie, to join them at Montpellier.<sup>1</sup>

Of those expatriated Scots, scattered through the Universities of the Continent, Aberdeen had produced her share. Florence Wilson, who describes his native scenes by the banks of the Lossy, under the towers of Elgin, was equal to his friend Buchanan in easy graceful Latinity. He was a Greek scholar also, and taught Greek in 1540. But that part of his education could hardly be got at his native University. William Barclay, the great jurist—father of John, the author of the admirable romance the *Argenis*—David Chalmers of Ormond, besides multitudes of mere professors, kept up the reputation of King's College abroad, while there were not wanting at

<sup>1</sup> It is much to be regretted that Dr. M'Crie did not find room for his notes of the Scotch teachers in the Protestant academies of France in the time of Andrew Melville:—"The number of Scotchmen," he says, "who taught in these seminaries was great. They were to be found in all the Universities and Colleges; in several of them they held the honourable situation of Principal, and in others they amounted to a third part of the Professors." - *Life of Melville*. 2d edit. p. 279. A list of these, with such biographical notices as could be

gathered, and a similar list of the Scotch scholars, then and a little earlier, driven out for their attachment to the Roman Catholic tenets, would form an exceedingly interesting chapter of Scotch literary history. It must be remembered, too, that there was a class of Universities where no "test" was in use; and in Italy especially, the learned man was encouraged to teach in his peculiar province without exclusion of creed or country. - Sir W. Hamilton's "*Discussions on Philosophy*," p. 359.

home men of high name in literature, who owed their instruction to the Northern University. The depression, which is visible at the visitation of 1549, continued during the actual storm of the Reformation. In 1562, when Queen Mary made her northern progress, accompanied by the English ambassador, Randolph wrote from Aberdeen: "The Quene, in her progresse, is now come as far as Olde Aberdine, the Bishop's seat, and where also the Universitie is, or at the least, one college with fiftene or sixteen scollers."<sup>1</sup>

We shall form a high opinion of the reformed University, if we judge of it by the first Principal of its College. Alexander Arbuthnot, "a gentleman born of the house of Arbuthnot in Mearns,<sup>2</sup> being trained up in the study of letters, and having passed the course of philosophy in the College of St. Andrews, went to France at the age of twenty-three years. There, applying himself to the laws, he lived five years an auditor of that great Doctor Cujacius, and being made licentiate, returned to Scotland in the year 1566, of purpose to follow that calling. But God otherwise disposing, in the year 1569 he was made principal of the College of Aberdeen, where, by his diligent teaching, and dexterous government, he not only revived the study of good letters, but gained many from the superstitions whereunto they were given.

<sup>1</sup> To Cecil, 31st Aug. 1562, in Chalmers' *Life of Ruddiman*, p. 7, note.

<sup>2</sup> He was the son of Andrew Arbuthnot in Pitcarles, by his wife Elizabeth Strachan of Thornton. Andrew was fourth son of Robert Arbuthnot of that ilk, by his second wife Mariot Scrim-

geour.—*Originis et incrementi Arbuthnoticæ familiæ descriptio historica*, a ms. compiled by the Principal himself, and preserved at Arbuthnot. Alexander was minister of Arbuthnot and Logie Buchan before he became Principal of King's College.

He was greatly loved of all men, hated of none, and in such account for his moderation with the chief of men of these parts, that without his advice they could almost do nothing, which put him in great fashery, whereof he did often complain. Pleasant and jocund in conversation, and in all sciences expert; a good poet, mathematician, philosopher, theologue, lawyer, and in medicine skillful, so as in every subject he could promptly discourse, and to good purpose.”<sup>1</sup> This is a favourable testimony by the Archbishop to a leader of the anti-episcopal party.

Arbuthnot was the friend and associate of the Melvilles, and a chief among that small section of the kirk who, themselves most learned, felt the necessity of reforming education as a means of religious reformation. James Melville never names him without commendation. He relates that, after the General Assembly of 1575, his uncle and he “past to Angus, in companie with Mr. Alexander Arbuthnot, a man of singular gifts of lerning, wesdome, godliness and sweitnes of nature, then Principall of Aberdein, whom withe Mr. Andro communicat anent the haild ordour of his collage in doctrine and discipline, and aggreit as thereafter was sett down in the new reformation of the collages of Glasgow and Aberdein.”<sup>2</sup> At another time, this best of gossips recalls the pleasant society in the house of his father-in-law John Dury, where the ministers of Edinburgh used to meet—“with a wonderful consent in varietie of giftes, all strak on a string and sounded a harmonic”—and where, at the

<sup>1</sup> Spottiswood's *History*, II. p. 319, edit. 1850.

<sup>2</sup> *Mr. James Melville's Diary*, p. 41.

seasons of the General Assembly, they were joined by still more eminent men : " Ther ludgit in his house at all these Assemblies in Edinbruche for common, Mr. Andro Melvill, Mr. Thomas Smeton, Mr. Alexander Arbuthnot, thrie of the lernedest in Europe . . . with sum zelus godlie barrones and gentilmen. In tyme of mealles, was reasoning upon good purposes, namlie,<sup>1</sup> maters in hand ; thereafter earnest and lang prayer ; thereafter a chaptour read, and everie man about gaiff his not and observation thereof ; sua that giff all haid bein sett down in wryt, I haiff hard the lernedest and of best judgment say, they wald nocht haiff wissed a fuller and better commentar nor sum tymes wald fall out in that exercise."<sup>2</sup> Principal Arbuthnot died in 1583 ; Spottiswood says he was in the forty-fifth year of his age, and that he was buried in the College Church.

Arbuthnot's communication with Andrew Melville without doubt gave rise to that famous "new foundation" of King's College, which was the subject of such contention afterwards. Like the parallel measure for Glasgow, it went to break down all the usages and feelings of a University, setting up a teaching institution in its place.<sup>3</sup> On this account we cannot regret that it was abortive,<sup>4</sup> but some of its provisions were evident im-

<sup>1</sup> Namely, *i.e.*, especially.

<sup>2</sup> *Mr. James Melville's Diary*, p. 60.

<sup>3</sup> Charles I. speaks very indignantly of the attempt to abolish the ancient and true foundation, and to bring in one of their own forging, and "to redact all the foundation to ane bair scoole of philosophie."

<sup>4</sup> Notwithstanding the vehement assertions of the charter of the new founda-

tion having been "priville destroyed," it seems more probable it was never completed. The ratification in Parliament, 1597, points to it as a charter still to be "revised;" and the copy which Dr. M'Crie used was of such an inchoate charter, wanting the concluding solemnities of date, witnessing, and sealing. — *Life of Melville*, II. 475, 2d edition.

provements upon the existing practice, if not on the original foundation. The teachers were to be confined, each to one department, and not as hitherto, each to take his students through the four years of their course, a change sanctioned by the universal practice of the present day, yet not without leaving some cause of regret for the better acquaintance that must have existed between the teacher and the scholars when they journeyed in company through their whole academic life.<sup>1</sup> The Canonist and Medicus were to be abolished. If the functions of the former were abrogated by the Reformation, that reason could hardly affect the latter.

It is unfortunate that we have no documents to show how the University thrived under Arbuthnot's presidency, nor any lists of graduates or students that might serve to prove the increase which we must believe would follow his improved discipline. We know that he introduced the study of Greek, and if, in other things, he followed Andrew Melville's example, as shown at Glasgow and St. Andrews, where that zealous scholar set himself to educate teachers for future generations of students, we may look to Arbuthnot as the fountain of that theological learning and classical and literary taste which distinguished Aberdeen for a century after his own labours had ceased. The number of students when

<sup>1</sup> The new system had either not been enforced, or had fallen into disuse immediately after Arbuthnot's death. The lists of intrants from 1601 downwards, show that a Regent taught the same students from the first to the fourth year. The first occasion when that order was

broken through, seems to have been in 1628, but the innovation was short-lived, and the old system prevailed down to the end of the last century; being retained chiefly, it is said, at last, from respect for the opinion of Dr. Thomas Reid.

we first become acquainted with it, at the beginning of the seventeenth century, had, indeed, much increased since the "fifteen or sixteen scollers" of Queen Mary's visit; but the quieter state of the country, and the comparative subsidence of the war of opinions, might, in a great measure, account for that improvement.

The history of the University during the seventeenth century—the government of the College funds—the discipline and studies—the dangers from without, and the greater perils from intestine discord—the partial decay and the restoration of the venerable school of learning—the steady increase of students through all the impediments of a turbulent age—are to be gathered, in general with sufficient accuracy and detail, from the records lately given to the world, especially the series of "Visitations."<sup>1</sup> We must not expect that any memorials of that period of church dissension should be free of party bias, especially where recorded by churchmen; but in the midst of prejudice and misrepresentation, some events, and fortunately some characters, stand above them and cannot be misunderstood.

<sup>1</sup> For those who wish to study the subject more fully, the following books will be useful. Gordon of Rothiemay's *History of Scots Affairs*, Spalding Club, edited with notes full of accurate information, biographical, ecclesiastical, and literary, by Mr. Joseph Robertson and Mr. Grub. The *Funerals* of Bishop Patrick Forbes, reprinted and also edited with copious and valuable notes and biographical preface, by Mr. C. F. Shand, for the late Spottiswood Society. Spalding's *Memorials of the Troubles in Scotland*, a much improved edition contri-

buted by the late Lord Saltoun to the Spalding Club, and edited by its Secretary. The *Correspondence of Principal Baillie*, very carefully edited, with similar literary apparatus, by Mr. D. Laing, for the Bannatyne Club. *Original Letters relating to the Ecclesiastical Affairs of Scotland*, 1603-28, the contribution to the Bannatyne Club of Mr. B. Botfield, where Mr. Laing's care and accurate knowledge are again visible. It may be necessary here to state that these works have been used for the present sketch, frequently without special acknowledgment.



Patrick Forbes of Corse, a gentleman of a competent estate in Aberdeenshire, having been induced by some peculiar causes to take orders, was made Bishop of Aberdeen in 1618. Of a presbyterian family, and educated by Andrew Melville, he had imbibed his master's love of learning, and the principles of the straitest sect of the Kirk. The views of that body, when developed, appearing to him almost inconsistent with discipline or civil government, at length drove him from them, and threw him heartily into the party of the Church as then established. Spottiswood says of him that he was the best prelate in the Church of Scotland since Elphinstone, and adds—"So wyse, judicious, so grave and graceful a pastor, I have not known in all my time in anie church." Judging not by his writings alone, but by the impression he made upon his age—gathering our opinion even from the vehement denunciations of his opponents—it is easy to see that that high character is not beyond the truth. Of his desire to enforce conformity by the secular arm—of his equal antipathy to Papists and Puritans—we need not speak: toleration was then unknown to Churchmen in power, of whatever sect. His pastoral care of his people was an example to the humblest minister of a parish; his discharge of his duties as Bishop of a great diocese, was regarded with admiration by those most averse to the office. As Chancellor of the University, his attention was perhaps too exclusively devoted to rendering it a school of sound theology; but, like Elphinstone, who had the same object in view, he knew that it could only be reached by the legitimate and severe dis-

cipline of secular learning and philosophy. Like Elphinstone, also, his care was to draw round his College and his Cathedral, men, who by their own accomplishment, might command respect for the lessons they taught.

He was alike vigilant concerning the fabric and the funds of the College, and the discipline of the members of the University. It appears that his care for these matters was much required. The Royal Commissioners, in 1619, represent the internal economy of the College as exceedingly faulty, and its affairs as verging to ruin, through neglect or dishonesty, and the Bishop writing to the king, speaks in even stronger terms: "As your Hienes' pleasure must be a law to us, so wish I heartely that your Majestie understood particularly the distresse of that poor House through the abominable dilapidatioun of the meanes mortified thereto, by miserable men who, in bad times, not being controulled, have so securely sacked all that estait, as if nather a God had bene in heaven to count with, nor men on earth to examin their wayes!"<sup>1</sup> These censures may point at the alleged dilapidations of the last Roman Catholic Principal; but they may also have been called for by the misconduct, fortunately not irremediable, of the Principal then in office, Mr. David Raitt.

Leaving the records of his visitations to tell of his reformation of the College economy and his zealous care of the fabric, we may throw some light from other sources upon the exertions Bishop Forbes made for literature.

<sup>1</sup> *Letters relating to Ecclesiastical Affairs*, p. 634. Mr. Shand has observed the offensive servility in the letters of that period, to the king. But Forbes is

worse than any. A favourite phrase of his, in writing to James VI. is—"your Majesty is an angel of God!"

Immediately upon his promotion, he began to fill the pulpits and the academic chairs with that remarkable band of scholars who remained to meet the storm which he escaped. Their names are now little known except to the local antiquary ; but no one who has even slightly studied the history of that disturbed time, is unacquainted with the collective designation of "the Aberdeen Doctors," bestowed upon the learned "querists" of the ultra-Presbyterian Assembly of 1638, and the most formidable opponents of the Solemn League and Covenant.

Of these learned divines, Dr. Robert Barron had succeeded Bishop Forbes in his parish of Keith, and from thence was brought on the first opportunity to be made minister of Aberdeen, and afterwards Professor of Divinity in Marischal College. He is best judged by the estimation of his own time, which placed him foremost in philosophy and theology. Bishop Sydsenf characterizes him as *vir in omni scholastica theologia et omni literatura versatissimus*. "A person of incomparable worth and learning," says Middleton, "he had a clear apprehension of things, and a rare facultie of making the hardest things to be easily understood."<sup>1</sup> Gordon of Rothiemay says, "He was one of those who maintained the unanswerable dispute (in 1638) against the Covenanters, which drew upon him both their envye, hate, and calumneyes ; yet so innocently lived and dyed hee, that such as then hated him, doe now reverence his memorie, and admire his works." Principal Baillie, of the opposite party, speaks of him as "a meek and learned person,"

<sup>1</sup> *Appendix to Spottiswoode*, p. 29.

and always with great respect; and Bishop Jeremy Taylor, writing in 1659 to a fellow of Trinity College, Dublin, recommending the choice of books for "the beginning of a theologicall library," names two treatises of Barron's especially, and recommends generally, "everything of his."<sup>1</sup> That a man so honoured for his learning and his life, should receive the indignities inflicted on Barron after his death, is rather to be held as a mark of the general coarseness of the time, than attributed to the persecuting spirit of any one sect.<sup>2</sup>

Another of the Aberdeen doctors, William Leslie, was successively Sub-Principal and Principal of King's College. The visitors of 1638 found him worthy of censure, as defective and negligent in his office, but recorded their knowledge that he was "ane man of gude literature, lyff, and conversatioun." "He was a man," says James Gordon, "grave, and austere, and exemplar. The University was happy in having such a light as he, who was eminent in all the sciences above the most of his age."

Dr. James Sibbald, minister of St. Nicholas, and a regent in the University, is recorded by the same con-

<sup>1</sup> Dr. J. H. Todd, who first published this letter (*English Churchman*, Jan. 11, 1849), supposed Bishop Taylor to be speaking of Dr. Peter Barron of Cambridge, but afterwards, on the evidence being communicated to him, was entirely satisfied, and corrected his mistake. "The author referred to," writes Dr. Todd, "is certainly Dr. Robert Barron of Aberdeen, a divine of whom the Church of Scotland may be justly proud."—*Irish Ecclesiastical Journal*, March 1849.

<sup>2</sup> Upon an allegation of unsoundness of doctrine in some of his works, the General Assembly of 1640 dragged his widow, in custody of a "rote of musketiers," from her retreat in Strathislay, to enable them to search his house for his manuscripts and letters, a year after his death. The proceedings add some circumstances of inhumanity to the old revolting cases not unknown in Scotland, where a dead man was dug out of his grave to be placed at the bar for trial and sentence.

temporary :—" It will not be affirmed by his very enemyes, but that Dr. James Sibbald was ane eloquent and painefull preacher, a man godly and grave and modest, not tainted with any vice unbecoming a minister, to whom nothing could in reason be objected, if you call not his anti-covenanting a cryme."<sup>1</sup> Principal Baillie, while condemning his Arminian doctrines, says, " The man was there of great fame."

Dr. Alexander Scroggy, minister in the Cathedral Church, first known to the world as thought worthy to contribute to the *Funerals* of his patron and friend Bishop Forbes,<sup>2</sup> is described in 1640 by Gordon, as " a man sober, grave, and painefull in his calling," and by Baillie, as " ane old man, not verie corrupt, yet perverse in the Covenant and Service-book." His obstinacy yielded under the weight of old age and the need of rest, but he is not the more respected for the questionable recantation of all his early opinions.<sup>3</sup>

Dr. William Forbes, who died Bishop of Edinburgh, another of the Aberdeen doctors, was more immediately connected with Marischal College, having received the beginning of his education there, and being afterwards its Principal. " He was," says the parson of Rothiemay, " one of the learnedest men, and one of the most eloquent preachers of his age, or that ever Aberdeen, the nursery of so many great spirits, ever brought forth."<sup>4</sup> Bishop Burnet tells us " he was a grave and eminent divine. My father that knew him long, and, being of counsel for him

<sup>1</sup> *History of Scots Affairs*, III. 231.

<sup>2</sup> Aberdeen, 1635.

<sup>3</sup> In the Presbytery of Aberdeen, 26th

May 1642. He died in 1659, in the ninety-fifth year of his age.

<sup>4</sup> *History of Scots Affairs*, III. 241.

in his law matters, had occasion to know him well, has often told me that he never saw him but he thought his heart was in heaven."<sup>1</sup> "Vir, vitæ sanctimonia," says Dr. Garden, "humilitate cordis, gravitate, modestia, temperantia, orationis et jejunii frequentia, bonorum operum praxi, industria pauperum cura, clinicorum crebra visitatione et consolatione, et omnifaria virtute Christiana, inter optimos primitivæ ecclesiæ patres annumerandus."<sup>2</sup> Bishop Cosin of Durham esteemed Dr. William Forbes's writings so highly, that he transcribed with his own hand all his remains.<sup>3</sup>

Eminent, among that body of divines and scholars, was John Forbes, the good Bishop's son. He had studied at King's College, and, after completing his education in the approved manner by a round of foreign Universities, returned to Scotland to take his doctor's degree, and to be the first professor in the chair of theology, founded and endowed in our University by his father and the clergy of the diocese. Dr. John Forbes's theological works have been appreciated by all critics and students, and have gone some way to remove the reproach of want of learning from the divines of Scotland. His greatest undertaking, the *Instructiones Historico-Theologicæ*, which he left unfinished, Bishop Burnet pronounces to be "a work which, if he had finished it, and had been suffered to enjoy the privacies of his retirement and study to give us the second volume, had been the greatest treasure of theological learning that perhaps the world has yet received."<sup>4</sup>

<sup>1</sup> *Life of Bedell*. Preface.

<sup>2</sup> *Vita Johannis Forbesii*, § xli.

<sup>3</sup> Bishop Cosin's ms. is still preserved at Durham.

<sup>4</sup> Preface to the *Life of Bishop Bedell*.

Of most of these theological authors I am obliged to speak in the language of

These were the men whom the Bishop drew into the centre and heart of the sphere which he had set himself to illuminate; and, in a short space of time, by their united endeavours, there grew up around their Cathedral and University a society more learned and accomplished than Scotland had hitherto known, which spread a taste for literature and art beyond the academic circle, and gave a tone of refinement to the great commercial city and its neighbourhood.

It must be confessed the cultivation was not without bias. It would seem, that in proportion as the Presbyterian and Puritan party receded from the learning of some of their first teachers, literature became here, as afterwards in England, the peculiar badge of Episcopacy. With Episcopacy went, hand in hand, the high assertion of royal authority; and influenced as it had been by Bishop Patrick Forbes and his followers, Aberdeen became, and continued for a century to be, not only a centre of northern academic learning, but a little stronghold of ultra loyalty and episcopacy—the marked seat of high cavalier politics and anti-Puritan sentiments of religion and church government.

That there was a dash of pedantry in the learning of that Augustan age of our University, was the misfortune of the time, rather than peculiar to Aberdeen. The literature of Britain and all Europe, except Italy, was still for

others. I have not, in all cases, even read the works on which their reputation is founded.

Another of “the Aberdeen doctors” was Alexander Ross, D.D., a man, I

think, of no great distinction, by no means to be confounded with the philosopher of the same name whom Hudibras honoured.

the most part scholastic, and still to a great degree shrouded in the scholastic dress of a dead language; and we must not wonder that the northern University exacted from her divines and philosophers, even from her historians and poets, that they should use the language of the learned. After all, we owe too much to classical learning to grudge that it should for a time have overshadowed and kept down its legitimate offspring of native literature. "We never ought to forget," writes one worthy to record the life and learning of Andrew Melville, "that the refinement and the science, secular and sacred, with which modern Europe is enriched, must be traced to the revival of ancient literature, and that the hid treasures could not have been laid open and rendered available but for that enthusiasm with which the languages of Greece and Rome were cultivated in the fifteenth and sixteenth centuries."<sup>1</sup>

It is not to be questioned that in the literature of that age, and in all departments of it, Aberdeen stood pre-eminent. Clarendon commemorates the "many excellent scholars and very learned men under whom the Scotch Universities, and especially Aberdeen, flourished."<sup>2</sup> "Bishop Patrick Forbes," says Burnet, "took such care of the two Colleges in his diocese, that they became

<sup>1</sup> Dr. M'Crie's *Life of Melville*, II. 445. It is with hesitation that any one who has been benefited by this work will express a difference of opinion from its author. But it seems to me that Dr. M'Crie has been led by his admiration for Andrew Melville, to rate too highly an exercise in which he excelled. The writing of modern Latin poetry, how-

ever valuable as a part of grammatical education, has, in truth, never been an effort of imagination or fancy; and its products, when most successful, have never produced the effect of genuine poetry on the mind of the reader.

<sup>2</sup> *History of the Rebellion*, I. 145. Oxford, 1826.



quickly distinguished from all the rest of Scotland. . . . They were an honour to the Church, both by their lives and by their learning, and with that excellent temper they seasoned that whole diocese, both clergy and laity, that it continues to this very day very much distinguished from all the rest of Scotland, both for learning, loyalty, and peaceableness."<sup>1</sup>

That this was no unfounded boast, as regards one department of learning, has been already shown, in enumerating the learned divines who drew upon Aberdeen the general attention soon after the death of their Bishop and master. In secular learning it was no less distinguished. No one excelled Robert Gordon of Straloch in all the accomplishments that honour the country gentleman. Without the common desire of fame, or any more sordid motive, he devoted his life and talents to illustrate the history and literature of his country. He was the prime assistant to Scotstarvet in his two great undertakings, the Atlas and the collections of Scotch poetry.<sup>2</sup> The maps of Scotland in the Great Atlas (many of them drawn by himself, and the whole "revised" by him at the earnest entreaty of Charles I.), with the topographical descriptions that accompany them, are among the most valuable contributions ever made by an individual to the physical history of his country. His son, James Gordon, Parson of Rothiemay, followed out his father's great objects with admirable skill, and, in two particulars, he merits our gratitude

<sup>1</sup> *Life of Bishop Bedell* - Preface.

<sup>2</sup> *Delitiae poetarum Scotorum hujus ævi illustrium*. Fifth volume of the

Great Atlas. Both published by John Blaeu at Amsterdam, the former in 1637, the latter in 1654.

even more. He was one of the earliest of our countrymen to study drawing, and to apply it to plans and views of places ; and, while he could wield Latin easily, he condescended to write the history of his time in excellent Scotch.

While these writers were illustrating the history of their country in prose, a crowd of scholars were writing poetry, or, at least, pouring forth innumerable copies of elegant Latin verses. While the two Johnstons were the most distinguished of those poets of Aberdeen, John Leech, once Rector of our University,<sup>1</sup> David Wedderburn, Rector of the Grammar School, and many others, wrote and published pleasing Latin verse, which stands the test of criticism. While it cannot be said that such compositions produce on the reader the higher effects of real poetry, they are not without value, if we view them as tests of the cultivation of the society among which they were produced. Arthur Johnston not only addresses elegiacs to the Bishop and his doctors, throwing a charming classical air over their abstruser learning, but puts up a petition to the magistrates of the city, or celebrates the charms of Mistress Abernethy, or the embroideries of the Lady Lauderdale, all in choice Latin verse, quite as if the persons whom he addressed appreciated the language of the poet.<sup>2</sup>

Intelligent and educated strangers, both foreigners and the gentry of the north, were attracted to Aberdeen ;

<sup>1</sup> *Joannis Leochæi Scoti Musæ. — Londini, 1620.* Leech was Rector of the University in 1619.

<sup>2</sup> *Ad Senatum Aberdonensem ; Tumulus Joannis Colissonii ; De Abrene-*

*thæa ; De aulæis acupictis D. Isabella Setonæ Comitissæ Lauderdale. — Epigrammata Arturi Jonstoni, Scoti, Medici Regii. Abredoniæ, excudebat Edvardus Rabanus, 1632.*

and its Colleges became the place of education for a higher class of students than had hitherto been accustomed to draw their philosophy from a native source.<sup>1</sup>

If it was altogether chance, it was a very fortunate accident, which placed in the midst of a society so worthy of commemoration a painter like George Jamiesone, the pupil of Rubens, the first, and, till Raeburn, the only great painter whom Scotland had produced. Though he was a native of Aberdeen, it is not likely that anything but the little court of the Bishop could have induced such an artist to prosecute his art in a provincial town. An academic orator in 1630, while boasting of the crowd of distinguished men, natives and strangers, either produced by the University, or brought to Aberdeen by the Bishop, was able to point to their pictures ornamenting the hall where his audience were assembled. Knowing by whom these portraits were painted, we cannot but regret that so few are preserved.<sup>2</sup>

<sup>1</sup> Strachan's *Panegyricus*. Among the strangers he distinguishes Parkins, an Englishman who had the year before (1630) obtained a degree of M.D. in our University. The earliest diploma of M.D. I have seen is that noted below (somewhat out of place), among the Academic prints, and which was granted in 1697.

<sup>2</sup> *Patricius . . . supremas dignitates scholasticas in viros omni laude majores (quorum vos hic vultus videtis) qui vel ipsas dignitates honorarunt, conferri curavit. Quid memorem Sundilantios, Rhætos, Baronios, Scrogios, Sibbaldos, Leslieos, maxima illa nomina. . . . Deus mi: quanta dici celebritas, quo tot pileati putres, theologie, juris et medicinæ doctores et baccalaurei de gymnasio nostro velut agmine facto prodierunt!*

He alludes to the strangers attracted by the fame of the society, to the divines, Forbes, Barron, etc., to the physicians — *Quantus medicorum grex! quanta claritas! . . . Quantum uterque Jonstonus, ejusdem uteri, ejusdem artis fratres. . . . Mathesi profunda, quantum poesi et impangendis carminibus valeant novistis. Arthurus medicus Regis et divinus poeta elegiæ et epigrammatis, quibus non solum suæ ætatis homines superat verum antiquissimos quosque æquat. Gulielmus rei herbariæ et mathematicæ, quorum professor meritissimus est, gloria cluit. De Gulielmo certe idem usurpare possumus. . . . Deliciæ est humani generis, tanta est ejus comitas, tanta urbanitas. Dun, another physician, he describes as in great practice, and Gordon, medicus et alchymista eximius.—*

The intellectual society thus gathered round the Cathedral and University would have been incomplete without a printing-press, and, to meet that want, the Bishop induced Edward Raban, an Englishman who had settled as a printer at St. Andrews, to quit the older University, and establish at Aberdeen the first press which had ever crossed the Grampian line.<sup>1</sup> The chief inducement to the undertaking was, without doubt, the convenience of saving the endless dictation and writing required in teaching grammar and philosophy where there were no text-books ; but the press served higher purposes also, and we not only owe to Raban's types the first editions of Arthur Johnston's Latin poetry, but to him and his successors we are indebted for a large mass of Academic literature, which must have been lost without them, and which furnishes the best materials (after the proper archives) of University history.<sup>2</sup> The first book printed

Andrew Strachan's *Panegyricus Inauguralis*, spoken on 26th July 1630, printed by Raban at Aberdeen, 1631.

<sup>1</sup> *Ille cum cerneret prelum esse bibliothecæ πυρενθρίου divinam illam et Jovis cerebro dignam artem typographicam (quæ nunquam ante saltus Caledonios et juga Grampia salutarat) huc tanquam de celo devocavit ; atque hac prerogativa effert se Academia nostra super alias omnes nostrates. In tantis frigoribus nec prelum sudare cessat, idque haud absque operæ pretio ; non solum enim excuduntur hic libri qui omnium scholarum usibus deserviunt, sed etiam ii qui, cum genium habeant, nostris scholis earumque rectoribus ornamento sunt ; idque typis splendidis qui lucem illustrissimarum regionum ferre possunt.*—Strachan's *Panegyric*, p. 37.

<sup>2</sup> It may be allowed to give the dates of such of these Academic prints as I

have seen. The first is not from the Aberdeen press.

1620.—*Disputationes theologicae duæ habitæ in inclitya Aberdonensi Academia . . . mense Februario 1620. . . pro publica S.S. Theologiæ professione. Respondente Joanne Forbesio.* Printed by Andrew Hart at Edinburgh. Prefixed is a proclamation which had been published in Universities and great towns in December 1619, calling on all learned in this kind *ut explorationi pro cathedræ hujus aditione instituenda vel se submittant vel intersint.* The first disputation is *de libero arbitrio*, the second, *de sacramentis*. At the end is the *Approbatio synodica, ejusdemque ad publicam S.S. theologiæ professionem solennis vocatio*, 27th April 1620.

1622.—*Theses philosophicæ quas adiutorio numinis adolescentes pro magisterii gradu in publico Academ. Reg. Aberd.*

in Aberdeen bears the date of 1622, being just a century after John Vaus crossed to Paris to have his grammar printed, and 115 years after Chepman and Miller established their printing-press at Edinburgh.

*asceterio 10 kalend. August : s. 22 Julii, 1622, horis pomeridianis sustinebunt*

*Preside Alexandro Lunano*

(the names of nine candidates, one of whom, Alexander Wischart, does not appear in the list of the laureates of that year). *Aberdoniis excud. Ed. Rabanus Univ. typogr. A.D. 1622.* The theses are dedicated to Bishop Patrick, the Chancellor.

1623.—Masters' theses, *preside D. Gul. Forbesio* (twelve candidates, one of whom, James Annand, is not given in the list of laureates), printed by Raban, dedicated *manibus beatissimis illustrissimis præsulis Gul. Elphinstoni Ac. Reg. Ab. fundatoris munificentissimi.*

1623.—*Oratio funebris in obitum maximi virorum Georgii Marischalli comitis . . . Academiæ Marischallanæ Abredoniæ fundatoris*, delivered by W. Ogston, June 30, 1623, printed by Raban, dedicated to the Earl Marischal, Patron, the Bishop, Chancellor, and to the Town Council of Aberdeen.

1627.—Alexander Scrogie's thesis for his degree of D.D.—*De imperfectione sanctorum in hac vita.*—Raban.

1631.—Andrew Strachan's (*physiol. et inferiorum mathematicum professor*) *Panegyricus inauguralis quo autores vindices et euergetæ illustris universitatis Aberdonensis justis elogiis ornabantur*, delivered at the lauration, 26 July 1630.—Raban, 1631.

1631.—*Oratio eucharistica et encomiastica in benevolos univ. Aberd. benefactores fautores et patronos*, by John Lundie, humanist.—Raban.

1634.—*Vindiciæ cultus divinæ.* Andrew Strachan's thesis for his degree of D.D. and professorship of divinity, dedicated to the Bishop.—Raban.

1635.—Thesis of John Gordon, *ecclesi-*

*aste Elginensis* for his degree of D.D., dedicated to his brother, W. Gordon, M.D., "Medicus" in King's College.—Raban.

1635.—*Funerals of Patrick Forbes of Corae, Bishop of Aberdene*, "Aberdene imprinted by Edward Raban." It is with reference to this book that Professor John Ker observes, after relating the death of the Bishop in 1635,—*Quam desideratissimus autem obierit, indicio sunt orationes, conciones, elogia, epistolæ, poemata in primis elegantissima, Latina et vernacula . . . Num tale extet monumentum literarium de obitu alicujus unius viri principis aut privati nos latelet.*—Donasides, p. 20.

1636.—*Canons and constitutions ecclesiasticall, gathered and put in form for the government of the Church of Scotland*, 4to, pp. 43.

1665.—*Vindiciæ veritatis, seu disputatio theologica pro veracitate opposita locutionibus operose ambiguis et restrictionibus mentalibus Jesuitis aliisque sectariis usitatis, auctore Gulielmo Douglassio theologiæ in Acad. Abredon. professore.* Excudebat Jacobus Brounus urbis et academiæ typographus, Aberdoniæ, 1655.

1677.—*Vindiciæ psalmodiæ*, the same author and printer. He rejects the use of organs.

1659.—*Academiæ vindiciæ, in quibus novantium præjudicia contra academias etiam reformatas averruncantur*; an oration delivered 19 November 1658. The same author and printer. He censures the subtleties of the early schoolmen, the *irrefragabiles, angelici, subtiles, solennes, seraphici*, etc.—narrates the paradoxes of Weigelius—that all academies are opposed to Christianity—*omnes academias exsortes esse Christi; Item,*

The Bishop was fortunate in the time of his death (1635), escaping the storm which destroyed the Cathedral he had laboured to restore, and which threatened to involve his renovated University in the common ruin. With more

*nullus doctor, nullus jurisconsultus, nullus astronomus, medicus, philosophus, neque artium ac literarum magister cælum ingreditur.* He speaks of the use of Latin—*totius Christianismi quasi commune vinculum*—of Greek and Hebrew—*quid est honorificentius quam ut meritis salutus* (addressing the University) *trilinguis; quid jucundius quam propheta et apostolos sua lingua loquentes audire?* He dwells on the necessity of libraries, and shows he appreciated the fine printers—*Stephanos, Plantinos, Jansonios, Elzevrios, Nortonos*, etc. Rebuking the manners of the students, he says,—*Quid sibi volunt ludæ tessarum et chartarum pictarum, herbæ nictianæ haustus immodicus, canes venatici imberbis juvenis, hospitium cum activum tum et passivum male feriatorum ardellionum!* He rails at hair powder which already appeared among the students of Aberdeen. He notices *aureus iste libellus* of Volusenus our countryman *de animi tranquillitate*. He intersperses his text excessively with Greek, and confines it rather too much to objects of theology and the ministry, but it is all very judicious.

1660.—*Oratio panegyrica ad eusebia potentissimi monarchæ Caroli II. . . . quam recitabat Gul. Douglassius S.S. Theol. prof. in auditorio maximo philosophico collegii Regii UNIVERSITATIS CAROLINÆ Aberdonensis Junii 14, 1660. Edinburgi ex officina Soc. Stationariorum, 1660.*

1660.—*Eucharistia Basilica* of John Row, Principal of King's College in UNIVERSITATE CAROLINÆ Aberdoniis *Jacobus Brunus urbis et Universitatis typotheta.*

1660.—*Britannia rediviva*, or a congratulatory sermon for his Majesty's safe

arrival and happy restitution, by John Menzies, Professor of Divinity, and preacher of the Gospel in Aberdene. James Brown.

1669.—*Philosophemata libera*, thesis of twenty-two candidates for the degree of M.A. in Marischal College—*Lycæi Marischallani UNIVERSITATIS CAROLINÆ Aberdoniis Joh. Forbes, junior, urbis et academice typotheta.*

1674.—*Positiones aliquot theologicas de objecto cultus religiosi*—the theses of Henry Scougall, to be maintained on his election to be professor of theology in King's College. *Jo. Forbes jun. urb. et univ. typotheta.*

[1697.—A diploma of the degree of M.D. to *Patricius Foord Mercianus* 24 July, 1697, by P. Urquhart, M.D., *prof. et actu regens et decanus in alma academia Regali Aberdonensi, ceterisque doctoribus, magistris et professoribus conaſcientibus, post multiplicia examina, sub magno sigillo Universitatis, M.S. pen. D. Laing.*]

1702.—*Commemoratio Benefactorum Academice Marischallanæ*, by William Smith. This was printed at the expense of the City, "in respect the same contains a full account of the antiquity of the Town, and benefactors of the College."—*Council Register*, LVII. 800. It is a very poor production.

1704.—Disputation of George Anderson, chosen professor of theology in King's College, for his degree of D.D., dedicated to Lord Hadlo.

1711. *Dissertatio theologica inauguralis, de peccato originali*, by David Anderson, minister of Foveran, and chosen professor of theology in King's College. *Escud. succenturæ Jo. Forbesii urb. et Univ. typographi.* . . . Speaking of the heresy of the Pelagians and

feeling than he usually expresses, Gordon of Rothiemay concludes his account of the Assembly of 1640, which "purged" the University. "Thus the Assembly's errand was throughly done; thes eminent divynes of Aberdeen, either deade, deposed, or banished; in whom fell mor learning then wes left behynde in all Scotlande besyde at that tyme. Nor has that cittye, nor any cittye in Scotland, ever since seene so many learned divynes and scollers at one tyme together as wer immediatly befor this in Aberdeene. From that tyme fordwards, learning beganne to be discountenanced; and such as wer knowing in antiqwtie and in the wryttings of the fathers, wer had in suspitione as men who smelled of poperye; and

Gerard Voss's 'opposition, he mentions the opinions also of *prælustris nostras Joannes Forbesius a Corse . . . magnum hujus academix decus, in cujus cathedra sessurus, qui hæc ponit, rubore suffunditur totus*, p. 16. Dr. David Anderson was distinguished for his learning, and had the popular name of "Tongues." To him, along with George Gordon, professor of Oriental languages, Thomas Boston submitted his treatise on the Hebrew accents, which he "pursued like fire," as of divine origin and necessary for understanding the true meaning of the Hebrew text and the Holy Spirit.—*Boston's Memoirs*. Dr. David Anderson died in 1733, leaving descendants who still cherish the memory of his learning and virtue.

1714.—*De rebus liturgicis oratio, pro gradu D.D. in sacello Coll. Regii Univ. Aberd. in festo S. Epiphaniæ a Jo. Sharp eccl. Angl. apud Americanos presbytero*, dedicated to Charles, Earl of Errol, Chancellor, and the professors. Printed by the successors of John Forbes. The author is much in favour of liturgies—*Præter ecclesiam Orientalem et Romanam, omnes Reformati cujuscun-*

*que gentis, exceptis schismaticis Britannicæ ecclesiæ, liturgiis probant.*

1725.—*Donaides sive Musarum Aberdonensium de eximia Jacobi Fraserii J.U.D. in Academiam Regiam Aberdonensem munificentia carmen eucharisticum, notis illustratum, quibus strictim perscribitur historia Universitatis et Collegii Regii Aberdonensis. . . . Auctore Joanne Ker Græcarum literarum professore*. Ruddiman, Edin., 1725. A set of very poor verses illustrated by most useful historical notes. David Malloch (afterwards, Mallet) wrote a short "Poem in imitation of 'Donaides,'" printed, and sometimes bound along with it.

1732.—*Fraserides sive funebris oratio et elegia in laudem . . . Jacobi Fraserii J.U.D. Col. Reg. Aberd. Mæcenatis et patroni beneficentissimi*, by the same author. *Aberd. excud. Jacobus Nicol urbis et Universitatis typographus*. Professor Ker limits himself in this essay to an account of the family and life of Fraser, and of his benefactions to the College.

Both these little works of Ker are of some use for the University and College history.

he was most esteemed of who affected novellisme and singularitye most; and the very forme of preaching, as wealle as the materialls, was chainged for the most pairt. Learning was nicknamed human learning; and some ministers so farr cryed it doune in ther pulpitts, as they wer heard to saye, ‘Downe doctrine and upp Chryste!’”<sup>1</sup>

It was in the year following<sup>2</sup> that King Charles I. made the great experiment of uniting the two Colleges of Old and New Aberdeen under one University, to be called “King Charles’s University,” and which for a short time flourished under the title of UNIVERSITAS CAROLINA. Unfortunately we learn nothing of the promoters of this measure, nor of the causes that induced one of the united bodies afterwards to dissolve a union which, whether then legally effected or not, seems to us at the present day so reasonable and so expedient for the Colleges themselves, the public, and the cause of literature, that when it shall have come to pass, as it needs must, all men will wonder at the prejudice which so long delayed it.<sup>3</sup>

Even the sharp discipline of the General Assembly, enforced by Munro’s musketeers, did not extinguish

<sup>1</sup> *History of Scots Affairs*, p. 243. The Puritans now took the same ground with which the High Churchmen of the Continent were reproached by the reforming party, a little before the era of our Reformation,—*theologi non curant grammaticeam, quia non est de sua facultate—Creditis quod Deus curat multum de isto Græco!*—*Epist. Obsc. virorum*.

<sup>2</sup> 8th and 14th November 1641. Marischal College evidently was opposed to the union, and impeded its being carried into effect.

<sup>3</sup> The Act of Parliament ratifying the union of the Colleges fell, by its date, under the general Act Rescissory passed after the Restoration; but many measures of the period included in that Act, were either tacitly continued in operation, or sanctioned by re-enactment of Parliament. We find the style of the united University still used by Professor Douglas and Principal Row, while celebrating the Restoration of Charles II., and even nine years later by the graduates of Marischal College. *Supra*, p. 301.



either the principles or the learning which had taken root in Aberdeen. The University continued to be well attended, and by a high class of students. The reputation of its scholars, and its comparative moderation in church politics, drew to it the sons of many a northern lord and laird who disliked the Covenant, and of some, perhaps, who cherished a lurking reverence for Episcopacy. There, too, without doubt, came many a youth seeking an education in good letters and Christian philosophy, though not designing to throw the energy of his after life into a struggle for the predominance of any sect or any shape of church government. All alike, it would seem, must have subscribed the formula of the Covenant, with such reservation and qualification as such tests usually produce.

When John Row had been placed in the Principal's chair by Cromwell's five Colonels, he brought with him the discipline of his patron, no enemy certainly to Universities, and a great store of uncommon learning.<sup>1</sup> We have evidence, in the University records, of his attention to his duties while he presided over the College; and a few accounts kept by him show us somewhat of the domestic life of the students and masters of his day.

Hitherto, the regents and founded masters, whether required or not, practised celibacy. It is noted, that in 1643, Alexander Middleton, the sub-principal, was married, "contrary to the foundation of the College, for he was the first regent that entered into a marriage condi-

<sup>1</sup> 1651.—He is still known for his Hebrew works, and the first half of his life was spent in teaching a very successful school at Perth.

tion in this college."<sup>1</sup> Some years later, it would appear, that there was an intention to enforce a rule against Regents marrying; but the attempt, if made, was defeated, as a similar one was evaded at Glasgow.<sup>2</sup>

Then, and for long afterwards, the unendowed students, as well as the endowed members of the College, all lived within the walls of the College, and ate at a common table. The *Economus* kept the accounts and managed the housekeeping. It might be possible to

<sup>1</sup> Orem's *Description of Old Aberdeen*.

<sup>2</sup> The following rhymes were found by Mr. D. Laing, in ms. in a hand about 1680, bound up in a volume of tracts in the Kirkwall library. Such old Academic pasquils are so rare, notwithstanding the facility for printing, that these, though apparently the production of a wit of the sister College, have been thought worth insertion here, in part:—

The Regents' humble supplication  
Unto the Lords of visitation  
Commissioned by our gracious King,  
Us to reform in everie thing.

My Lords, we know you're hither sent,  
With power of a large extent,  
In all things us to rectifie,  
And our foundation for to sie;  
To try in all what is our rent,  
How we the vacant stipends spent,  
How we among ourselves agree,  
And how Will Black is paid his fee:  
How the Principall doth hector  
Procurator, Doctor, Rector:  
How old Petrie, which is odd,  
Lives by the purchase of a todd.  
How Seaton with his fearful looks  
Is payed for keeping of the books.  
My Lords, since ye are men of witt,  
To you these things we will submitt:  
But yet that one thing which of late,  
At Edinburgh was in debate,

And on both sides was handled hote,  
Whither we wives should have or not,  
'Gainst it to speak we would presume,  
Since it a tenet is of Rome.  
Ye know a doctrine it's of devills  
Wives to forbear, though they be evills:  
My Lords, cast not on us the knotts,  
Or else we'll quitt both gowns and coatts:  
For we are lustie lads indeed,  
Who sit at ease and stronglie feed:  
By Jove we swear we will miscarrie,  
If ye allow us not to marrie.

But pray how comes it to pass  
That Principall may take a lass?  
But Patersone's a Principall.  
I wish we Patersones were all.  
Who calculat exactly find  
His mear can never be behind.  
And Middletown was at the south,  
There his transactions were uncouth;  
If he advised this gelding act,  
And brought it on the Regents' back,  
The gentlewomen would be clear  
He was dispatcht into Tangier  
If he restrain us; but no doubt  
Be merciful as ye are stout,  
Let it be but a year or two  
That we this pennance undergo,  
For a tedious eight years lent  
Was ne're enjoyned by those of Trent.  
My Lords, consider our regrate,  
Or else expect poor Orpheus' fate;  
Your Lordships are put to a push,  
Your Clerk subscribes himself

LENTUSCH.

guess at the expense of the College life, from the whole outlay compared with the number of inmates ; but we have better means of learning the actual expense of students (much of which did not go through the hands of the *Economus*), from the chance which has preserved the accounts of a young man who studied at King's College at that time. Hugh Rose of Kilravock, having finished his elementary education at the parish school of Auldearn, left his old tower on the Nairn for the University, on the 8th November 1657, accompanied by his tutor, a young man who had taken his master's degree seven years before, and now wrote himself "Master William Geddes," and "Jacobus Rose" his page. They rode the journey to College, and home again in May, on horseback. The expenses of all three, including journeys, and a visit to the young gentleman's kinsfolk at Achlossen, amounted to little more than £420 Scots. This included board paid to the *Economus* for two quarters (£80 a quarter), furniture for chambers, fee to the Regent (£30 Scots), fire and candle, clothes (including a "muffe" and "four-tailed coat"), washing, and a few customary fees to servants, and "to the printer, £6, 8s."<sup>1</sup>

The change from the old academic economy has been gradual. For more than a century after Hugh Rose had occupied his simply furnished apartment, the students continued to lodge in chambers within the walls of the College, and to take their meals in the College hall ; but as no imperative rule prevented those who pleased from having lodgings in the town, a class of boarding-houses

*The Family of Kilravock*, Spalding Club, p. 351.

seems to have grown up, which were preferred by the young men to the restraint of a college life ; and the change was not discouraged by the masters. Gradually the number remaining within the College diminished, till, in 1788, the masters withdrew the salary which had hitherto induced the *Economus* to give his attention to the domestic arrangements of the College ;<sup>1</sup> and, in the beginning of the present century, the ancient and honoured collegiate practice disappeared. It may be impossible to return to it, with the altered numbers of students, and after so long an interval ; but some change, which should bring the students more under the master's eye, and establish something of a domestic relation between the teachers and the taught, would be of more importance in our Scotch Universities than any improvement in the mere teaching of classes.

It has been already mentioned that in Aberdeen, as in other universities of old, the student, entering under a certain Regent, continued under him during his whole course of study ; and although the authors of the "new foundation," and subsequent reformers at several times, sought to alter that system, it was maintained till the end of last century. The present practice, which gives to each master the province of teaching that to which he has peculiarly devoted himself, was introduced in 1798-9.<sup>2</sup> It seems not impossible to retain the manifest advantages of the present practice while recalling in part the

<sup>1</sup> Minutes of Senatus, 25th August 1779, 8th September 1788. Some few students lived in College down to 1820.

<sup>2</sup> Minutes, 21st March 1798, 16th March, and 23d March 1799.

old, which, like the system of tutors in the Colleges of the English Universities, established in each master a feeling of personal interest and responsibility in a limited number of students.

Of the course of study immediately before Rowe became Principal we derive some valuable information from the proceedings of a sort of general University Court—an institution that might be imitated with great advantage at the present time.

In 1647-8, the Commissioners appointed by the four Universities of Scotland—St. Andrews, Glasgow, Aberdeen, and Edinburgh—met at Edinburgh, and adopted measures for promoting a correspondence among them, and a uniform course of study. Some of their resolutions are worthy of notice.

“1647, 28th Aug.—It was fund expedient to communicat to the generall assemblie no more of our Universitie afaires but such as concerned religion or that had some evident ecclesiastick relatione. . . .

“30th Aug.—That everie student subscriyve the nationall covenant, with the League and Covenant. . . .

“It is fund necessar that ther be a *cursus philosophicus* drawin up be the four Universities and printed, to the end that the unprofitable and noxious paines in writeing be shunned; and that each Universitie contribute thair travellis thairto, and it is to be thocht upon, aganist the month of Merch ensewing, viz., that St. Androis tak the metaphisicks; that Glasgow tak the logicks; Aberdine the ethickis and mathematickis, and Edinburgh the physicks.

"It is thought convenient that quhat beis found behoveful for improving of learneing in schooles and colledgis be represented to the Parliament in Merch nixt. . . .

"17th *July* 1648.—It is aggreid that all the Universities concur with and assist ane another in everie comone caus concerning the commonweill of all the Universities."

The former agreement is renewed, "that no delinquent in any College sall be received into another College befor he give testimony that he have given satisfaction to the College from quhich he came."

To facilitate the establishment of a uniform course, each University gave in a report of the studies actually followed. The statement of King's College is very short.

"Courses taught yeirly in the King's College of Aberdeen :—The Colledge sitteth downe in the beginning of October, and for the space of a moneth till the studentis be weill convened, both masters and schollaris are exercised with repetitiones and examinationis, quhich being done, the courses are begun about the first or second day of November.

"1. To the first classe is taught Clenard, Antesignanans; the greatest part of the New Testament; Basilius Magnus his epistle; ane oration of Isocrates; ane other of Demosthenes; a buik of Homer; Phocyllides: some of Nonni paraphrasis.

"2. To the second classe, Rami dialectica; Vossii retorica; some elements of arithmetick; Porphyrie; Aristotill his categories, de interpretatione and prior analyticks, both text and questiones.

" 3. To the third classe, the rest of the logicks ; twa first books of the ethicks ; five chapteris of the third, with a compend of the particular writtis ; the first fyve books of the generall phisicks, with some elements of geometric.

" 4. To the fourt classe, the bookes de cœlo, de ortu et interitu, de anima, the meteoris ; sphaera Jo. de Sacro bosco, with some beginningis of geography and insight in the globs and mappes.

" This is to be understood, ordinarily, and in peaceable tymes."<sup>1</sup>

The report of the course of St. Andrews is longer and more in detail. Students of the first year were taught Greek and the elements of Hebrew. In the last year, the students were to learn "some compend of anatomy." Then, "because the dyteing of long notes have in tyme past proven a hinderance, not only to other necessarie studies, but also to the knowledge of the text itself . . . it is thairfor seriouslie recommendit by the Regentis to the Deane and Facultie of Arts that the Regents spend not too much time in dyteing of thair notts ; that no new lesson be taught till the former be examined ; that everie student have the text of Aristotill in Greek, and that the Regent first analyse the text *viva voce*." . . .

In Edinburgh, in the third year's course *anatomia*

<sup>1</sup> Though this brief report of the studies of Aberdeen says nothing of Anatomy, which is joined in the philosophical course in St. Andrews and Edinburgh, it must be remembered that the *Medicus* was one of the endowed members of

Elphinstone's foundation. In 1636, Dr. William Gordon, *medicus et alchymista*, having long practised his scholars in the dissection of beasts, obtained the means of demonstrating from the human subject.—*Spald. Miscel.* ii. 73.

*humani corporis describitur.* This is the only Scotch University which notes any attention to prosody. In the *classis humaniorum literarum*—*Docentur classici auctores historici, oratores, poetæ; transferunt themata a Latino in vernaculum et a vernaculo in Latinum sermonem. In versibus etiam exercentur.*

The effect of Principal Rowe's discipline in the study of his house, we do not learn otherwise than in the continued and increasing attendance of students.

Something of the vigilance of the more ancient academic discipline appears from a few scraps which were found scattered and loose in the Archives of the College. The *Censura Studiosorum* gives briefly the character of every student of the University, and his relative position when compared with others. Unfortunately it extends only over a few years; but in the fourth, or highest class, it gives us the names of the students of one year earlier than the earliest list of entrants preserved in the Album.<sup>1</sup>

A few words must be allowed of the fabric of our College. Its retired and pretty rural situation, contrasting with the bustle of the neighbouring town, is now more admired than the edifice itself, which called forth the extravagant praise of its historians in past times. Perhaps no part of the building is entirely as it was left by the founders, Bishops Elphinstone and Dun-

<sup>1</sup> It may be necessary to explain its method. The students are placed either *in linea recta*, that is, in the order in which their names are written, or *in circulo*, in groups where all are equal. The first year, 1603, gives as *Primi ordinis*,

the Bajans of that year; *secundi ordinis*, the Semis, who had joined in 1602; *tertii ordinis*, the Tertians, of 1601; and *quarti ordinis*, the Magistrand class who had matriculated in 1600.



bar ; but the plan and foundations, in many parts the walls, are nearly as at first.

Beside the door which entered under the west window of the church (now the library), is inscribed—

per serenissimum Illustrissimum ac Inbictissimum J. 4. R.  
quarto nonas aprilis anno millesimo et quingentesimo  
hoc insigne collegium latini interpretum edificare.

There is no reason to doubt that this inscription is nearly of the date it records, and that the church, so far as its masonry is concerned, is now as it was left by its venerable founder. Hector Boece, whose book was printed only eight years after Elphinstone's death, records that that bishop built the church, the towers, and most of the houses, and covered them with lead ;<sup>1</sup> and Andrew Strachan, writing while the church was still used for the purpose of its foundation, speaks of it almost in the words of Boece, and declares that all its stones and beams proclaim Bishop Elphinstone their founder.<sup>2</sup>

<sup>1</sup> *Wilhelmus initiis Aberdonensis studii delectatus, quo res firmitus stabiliretur, collegium condidit, opus edificiorum ornatu et amplitudine magnificum et dignum quod fama semper loquatur. In eo templum tabulatum polito quadratoque lapide, vitrinis, cœlaturis, sellis ad sacerdotum, subselliis ad puerorum usum, mira arte fabricatis, marmoreis altaribus et imaginibus divorum, tabulis et statuariis et pictoria arte auratis, cathedris æneis, auleis, tapetibus, quibus parietes atque parimentum sternerentur. . . . Habet campanile immensa altitudine sublatum, cui lapideus arcus instar imperialis diadematis, mira arte fabricatus, plumbeam supra tecturam adhibetur, tridæcam campanas, melodiam et piam audientibus voluptatem sonantes. Hæc omnia Wilhelmi donaria. . . . Aedes*

*singulæ condi inceptæ, Canonici juris professori, Corsarei, Medico, Grammatico, a collegio secretæ. Has Wilhelmus non absolvit, morte correptus intempestiva. Collegii templum, turres, et cœles pene omnes tecteo plumbeo operuit. — Boetii Aberdon. Epis. Vita, p. 64-66.*

<sup>2</sup> *Cujus omnes hodie lapides, omnes trabes Gulielmum loqui et prædicare videntur et ad ejus memoriam gestire. Et certe cum in cœdes oculos converto, Solis regiam mihi videre videor. Illis nihil magnificentius, nihil augustius. Quid referam templum ex polito et quadrato lapide constructum affabre ! quid in eo vitrinas, cœlaturas, quid subsellia mira arte fabricata, quid ei incumbens campanile editissimum cui arcus lapideus instar diadematis imperialis manu Dædali efformatus supereminet ! quid in eo*

We can fix the date of the church somewhat more accurately from a document preserved in the Burgh Records of Aberdeen, which bears that on the 21st October 1506, Andrew Cullan, provost of the burgh—as factor for William, Bishop of Aberdeen, entered into an indenture of contract with “John Buruel, an Englishman, and plumber to the King of England,<sup>1</sup> regarding the roofing of the church of the Bishop’s new University.”

The windows and ceilings, the marble altars and pulpits of brass, celebrated by the historian, are all gone, as well as the more perishable articles of pictures and images of saints, and the carpets and hangings for decking the church on festivals. It is something that there still remains the shell of the church, with its choir, used as a college chapel, and, though deformed by a pulpit thrust into the place of the high altar, still preserving the tomb of its founder, and the fine oak stall-work which excited the admiration of the first Principal.<sup>2</sup>

*tredecim campanas quæ vel lapides dulcissima melodia ad sacra vocarent! quid aulam vel regibus invidendam! quid musæa privata! quid publica auditoria quorum vel majestas ad studia invitat! A. Strachani Panegyricus Inauguralis, p. 10. Aberdoniis Excud. Ed. Raban. 1631.*

<sup>1</sup> *Johannes Buruel Anglicus et plumbarius Regis Anglie.* The contract was penes lecturam ecclesie sue nove universitatis. The plumber undertook to find himself in fire and timber for the work. The other terms of the contract are not preserved.—*Vol. of Miscellaneous Records among the Burgh Records of Aberdeen.*

<sup>2</sup> The nave of the church is shut off by a partition, and now forms the principal

apartment of the library. The tomb of Elphinstone, of black marble, two feet high, with holes where the brass ornaments have been attached, stands in the middle of the choir, the present chapel. The extremity of the three-sided apse is filled by an oak pulpit, which is now used by a Sunday lecturer. It bears the name of Bishop Patrick Forbes, with the date 1627. The Bishop would hardly have approved of its present position. Against the north wall of the chapel, also, now stands another pulpit, lately brought from the cathedral, which shows the arms and initial letters of Bishop William Stewart. It has been appropriated to the use of the hebdomadar Regent. The stalls, thirty in number, with canopies and folding *misereres*; and

The buildings, left unfinished by Elphinstone, were completed by another munificent prelate, Bishop Gawin Dunbar; and the south side of the quadrangle, from being chiefly his work, was long known as "Dunbar's buildings."<sup>1</sup>

We have notices of successive repairs of the College buildings in Bishop Patrick Forbes's time, but directed evidently with laudable care to replace and restore without alteration.<sup>2</sup>

In 1633, on the 7th February, a violent storm blew down the crown of the steeple, the wonderful structure "after the manner of an imperial diadem." "This goodlie ornament, haveing stood since the dayes of that glorious king, James IV., was by ane extraordinar tempest of stormie wind thrown downe; quherby both the roofes of tymber and lead, and other adjacent workes, wer pitifullie crused."<sup>3</sup> The members of the College, with the assistance of their neighbours, in particular the burgh of Aberdeen, immediately applied themselves to repair the crown; which, Spalding assures us, was "redefeit and biggit wp litle inferior to the first."<sup>4</sup> The church roof, which had been injured by its fall, was not repaired apparently till 1638.

the *subcellia*, twenty-two in number, all of exquisite work in oak, and in wonderful preservation, still indicate where the rood loft divided the choir from the nave.

<sup>1</sup> *Donaiides*.—*Auctore J. Ker*, 1725, p. 15.

<sup>2</sup> 1621-23. Strachan, speaking of the three bishops — Elphinstone, Dunbar, and Forbes (the last being still alive) — says, — *Primus academiam fundavit; se-*

*cundus conservavit et ampliavit; tertius eam prope-modum collapsam restituit.* — *Panegyricus Inauguralis*, 1631, p. 7.

<sup>3</sup> The words are Dr. John Forbes's. The exact date of the catastrophe is recorded by Spalding. — *Club edit.* p. 31.

<sup>4</sup> The architect was Dr. William Gordon, professor of medicine, "a godlie, grave, learned man, and singular in common works about the College, and putting up on the steiple thereof, most

The Parson of Rothiemay's drawing<sup>1</sup> shows the University buildings as they stood after that repair, and after the erection of an unsightly edifice which he inscribes "the new works"—"the new building reared up at the north-east corner of the said College,"<sup>2</sup> by a subscription begun in 1658, which contained lecture-rooms, and observatory at top, the latter added in 1675.<sup>3</sup> The roof of the church is evidently of the middle of the seventeenth century, and the pretty lantern spire bears the cipher of Charles II. We learn from Gordon's drawing that the library, the jewel-house, and the "second school" were then in a sort of aisle running along nearly the whole south wall of the church, the work of Bishop William Stewart.<sup>4</sup> The common school and college hall over it, then as now, occupied the east side of the quadrangle.<sup>5</sup> The chambers of the students were in "Dunbar's buildings" on the side of the court opposite to the church, and perhaps also occupied buildings on the steeple side, which have been removed within the present century to make room for a

glorious as you see, ane staitlie crowne, thrown down be the wynd before."—*Spalding*, p. 257.

<sup>1</sup> *Descriptio utriusque urbis*.—Spalding Club. The drawing was executed before 1661.

<sup>2</sup> The list of subscriptions extends over many years, combining in the same purpose Cromwell's Captains and Colonels, and the Bishop and Clergy after the Restoration.

<sup>3</sup> *Orem*, p. 182. On the wall is inscribed—1658—*Insignes has ædes extruendæ curarunt Coll. Regii moderatores, Joa. Row Principalis. Ja. Sandilandis J.C.P. And. Moore Med. P. Pat.*

*Sandilandis, Subpr. P.P. Joa. Brodie H.L.P. Geo. Gordon, And. Massie, Gul. Johnston, Reg. P.P.P. Slezzer's* view, thirty years later than Gordon's, represents the "new work" as terminated with the minaret-looking observatory of 1675, and ornamented with balustrades and pinnacles, and much more picturesque than it appears in the earlier view, or at present.—*Descr. of both Towns*, p. 28.

<sup>4</sup> *Donaiides*.—*Auctore J. Ker*, 1725, p. 15.

<sup>5</sup> The ends of these halls are now taken off, the lower for the Greek class, the upper for the "Senatus room."

chemical class-room and a museum, together with part of the library which had outgrown its lodging.<sup>1</sup> The drawing of 1660 shows the ruins of the Canonist's and Civilist's houses, but gives no indication of the ruin which was fast impending over a great part of the collegiate buildings. Upon Candlemas day of 1715, the spire or minaret, which is seen in both views, terminating the tower at the south-eastern corner of the College buildings, was blown down.<sup>2</sup> It appears that the south

<sup>1</sup> "The Kings Colledge of Aberdeene, situated at the south ende of Old Aberdene, is conspicuouse beyonde the rest of the buildings. Scotland does not boast of the edifice of any colledge more statelie or bewtifull. It is all covered with lead about, except one quarter, which is purposellie slaited; the church and great tower or steeple both builded of ashler: all the church windows of old wer of paynted glas; and ther remayns as yit a pairt of that ancient bravery. In this church Wm. Elphingstoune lyes buried, his tombe stone of black towch stone; the upper pairt upheld of old by thretteine statues of brasse; his statua of brasse lying betuixt the two stons; all thes robbed and sold long agoe. Ther are two bells (of ten in that steeple), which are of a greater weght each of them then any in Scotland besyde. Above a double arche crossed of stone ther standeth a crowne royall octangular supported with eight pillars; upon the toppe of the crowne a stone globe; above it a double crosse gilded; intimating as it were by such a bearing, that it is the King's Colledge. It was overthrowne anno 1631 [1633] by a furious tempest, bot quicklier afterwards restored in a better forme and conditione by the directione of Patrick Forbes of Corse, then bischope of Aberdeen; Dr. Willame Gordone overseing the work, and solliciting everie quher for assistance therunto, which was contributed considerablie by the noblemen

and gentlemen dwelling in the countrey and neerest shyres. The librarie or bibliotheck is joyned unto the church, at first replenished with many goodlie volumes, bot since ather robbed, or embasled, or purloyned by unfaythfull keepers. At this tyme, by the liberalitie of severall donors, it begins to be replenished of new, and accresceth daylie. Under it, hard by, is ther cabinet or jewell hous as they call it, wherin are layde ther patents and registers and publict records. Ther was much pretious stuff layde up ther of old, besyde all this, but long agoe robbed by theeves quho brack in violentlie ther. Next stooode the Chapterhous, now turned to a privat schooll. The Commone Schooll and Colledge Hall above it take up a quholl syde of the base court. Ther parlour is fair and bewtifull within. The southe syde hes upon everie corner two half round towers with leaden spires. In the yeir 1657, the square of the quholl edifice began to be closed and compleitted by the additione of a new building, which ryse up above the rest, platformed and railed above."—*Descr. of both Touns*, p. 23.

<sup>2</sup> *Orem*, p. 182.—From the old view, ascribed to Jamieson, in the Senate Hall (a copy of which is prefixed to *Orem's* useful little book), it appears that both this and the corresponding pinnacle on the south-western tower were made of timber.

side, Dunbar's buildings, had fallen into decay about the end of the seventeenth century, when the present edifice with its cloister-like arcade was commenced,<sup>1</sup> but again allowed to fall to ruin. The Crown itself, the pride of the College, was cracked and in danger.<sup>2</sup>

The great patron and restorer of later times was James Fraser, an alumnus of the University, who devoted a share of his fortune to repair the ruinous buildings, to complete the unfinished, and to supply the library with valuable books.<sup>3</sup> It is to him, the College is

<sup>1</sup> The new building was begun in 1707 at the expense of John Buchan of Auchmacoy and the officers of his regiment (*cohortis suae prefectorum*) who also renewed the windows and pavement of the Hall.—*Donaides*, pp. 15, 23. The same author elsewhere dates the commencement in 1723.—*Fraserides*, 1732. Either period was unfortunate for British art, and the architecture of the south side as well as the windows of the hall serve to perpetuate a mean style which was not confined to the north of Scotland.

<sup>2</sup> *Augusta Elphinstonii tecta casum minitabantur: Coronarium illud opus insigne et excelsum campanili impositum, hiatus late pandens, secum in exitum tracturum templum, bibliothecam, Principalis cameram.*—*Donaides*, p. 25.

<sup>3</sup> James Fraser, the third son of Alexander Fraser, minister of Petty, came to King's College in the year of the Restoration (1660) his fifteenth year. After taking his master's degree in 1664, he went to England and followed the custom of so many of his countrymen at that time, by becoming tutor in the families of several noblemen, and also acquired some fortune by the death of his brother, a soldier. Having been tutor to the Duke of St. Albans (son of Charles II.), he was appointed first Secretary to Chelsea Hospital, an office

which he held for forty years. He was a diligent book-collector, and distinguished for his knowledge of books, and was made by James II. librarian of the Royal library and licenser of printing. He is said to have been a great favourite with George I., who spoke little English, and perhaps benefited by the Librarian's remembrance of the King's College colloquial Latin. Fraser had presented books to the Library of his old College as early as 1675. In August 1723, when on his way to his daughter's in Moray (she was married to Dunbar of Grangehill), he visited his *alma mater*, and finding the College buildings partly fallen, partly in danger of falling (*avi injuria partim lapsas partim labentes*), he anticipated an intended legacy, and bestowed in all about £1200, with the rent of a small property in Morayshire during his life, upon restoring them:—*Nec mora; academia moderatores festinare demoliri. Continuo bibliotheca vetus, restitutum templi subterpositum, gymnasium seu cimeliarchium et capitulum seu domus capitularia ubi publica collegii cernitia haberi solebant (quoniam tres ordines templo contigui collegii Regii arcam vel septentrionem claudunt) opera celeberrimi Elphinstonii et venerandi Hewartii antistitis Aberdoniensium, sumptibus diruuntur. Bibliotheca nova longitudine duplo fere aucta ac quintum schola*

indebted for removing the unseemly excrescence which served the purpose of a library and a jewel-house, and generally for the state of decent though untasteful repair in which its buildings are now seen.<sup>1</sup>

Besides their modest buildings, their books (now amounting to 50,000 volumes), and the charters and records which have now been collected and printed, the University and College which have gone through so many different fortunes, have not much to recall the past stages of their existence.

In spite of the neglect of old art common to all Scotland, there are still preserved, in the Hall and Senatus room, a few interesting pictures. Among these is the portrait of the founder, with all the marks of a genuine and contemporary portrait, and a fine head of the venerable Bishop Patrick Forbes, by Jamieson.

*infra posita Græcarum literarum et Philosophiæ prelectionibus sacrata, ab imis fundamentis, polito lapide, pulcherrimum in modum extruuntur, fenestris distinctæ fulgentibus et ad normam exactis.*

Fraser died in 1731.—*Fraserides ; Auctore J. Ker, Græcar. lit. prof. in Academ. Regia. Aberdoniæ, 1732.*

Ker records that Alexander Fraser, Sub-Principal, and Alexander Burnett, then Regent, were the architect and engineer (*Vitruvius Aberdonensis et Archimedes noster*) who directed the works and rendered all professional advice unnecessary.

<sup>1</sup> On the wall of the chapel, above the door entering from the quadrangle, is this inscription—

*J. F. A. D. MDCCXXIV.*

*Vir nunquam sine laude nominandus Jacobus Fraserius J. U. D. unicus musarum fautor almam suam matrem Aberdonensem cævi injuria partim labantem*

*partim jacentem, solus fere respexit, erexit, proxit.*

At the south-east corner of the quadrangle, above the door of the Greek class-room, is the following—

*a MDCCXXV et seq. a. d. MDCCXXX. Ex munificentia eximii viri Jacobi Fraserii J. U. D. Coll: Regii Aberdonensis fautoris beneficentissimi, maximam in partem, partimque academice sumptibus, Ædes quæ collegii aream ad austrum claudunt, et hinc ad angulum occidentalem pertinent, funditus dirutæ, instauratæ sunt, cura et vigilantia moderatorum Universitatis, M. Geo. Camerarii Principalis ; M. Dav. Anderson S. T. P. ; D. Alex. Fraser juris P. ; D. Jac. Gregorie med. P. ; M. Alex. Fraser subpr. : R. et P. ; M. Alex. Gordon Hum. Lit. P. ; M. Alex. Burnet R. et P. P. ; M. Joa. Ker R. et Græc. Lit. P. ; M. Dan. Bradful, R. et P. P. ; M. Geo. Gordon Or. Ling. P.—Quid melius et præstantius est bonitate et beneficentia !—Cic.*

The Mace of the University is of silver, manufactured in Aberdeen;<sup>1</sup> perhaps in imitation of the old mace, enumerated in 1542 among the Rectorial ornaments—*baculus Rectoris argenti cum armis Regis et fundatoris*. The Royal arms, with the date of 1650, suggest that it must have been provided to do honour to the visit which Charles II. made to Aberdeen, 7th July 1650, or on the 25th February following, while he was still King in Scotland.

The common seal of the University is a silver stamp, the work of the seventeenth century, perhaps taken from an older one. The cognisance (not on a shield) is the pot of lilies, the emblem of the Virgin; on the front of the pot, three fishes, crossing fret-wise. Above, a hand extends downwards an open book. The Legend—SIGILLUM COMMUNE COLLEGII BEATE MARIE UNIVERSITATIS ABERDONENSIS.<sup>2</sup>

It is to be feared that all the bells of the *campanile*, which the old members of the College name with such affection and pride, the five great bells—TRINITY, MARY, MICHAEL, GABRIEL, and RAPHAEL—and the five small ones for marking the half hours, have disappeared, as

<sup>1</sup> Round the staff is inscribed "*Walterus Melvil fecit anno 1650.*" On the top under the crown and emblems of royalty are the arms, quarterly, of Scotland, England, Ireland, and Scotland (again) within the garter; above, the Scotch motto, *In defence*; under, *God save the King*. On the sides are the arms of Elphinstone—a cheveron between three boar's heads—and the cognisance of the University, the pot of lilies (the emblem of the Virgin) but without the three fishes.

<sup>2</sup> An impression, certainly of this stamp, occurs at a deed of 1658.—Laing's *Ancient Scot. Seals*, No. 975. Edinburgh, 1850. The cognisance occurs in a woodcut used by the University printers, before the Restoration, with the words—*ex bibliotheca collegii regalis Aberdonensis*. The same device, without the hand and book, has been sculptured as a coat armorial on the Town-house of Old Aberdeen, with the motto, *CONCORDIA RES PARVÆ CRESCUNT*, and the date of 1721.



well as the three little bells used in the church for the high altar and the altars of St. German and St. Mary, either to be re-cast in Monsieur Gelly's melting-pot, or for worse purposes. St. Mary of the Snows has not better protected her two bells which boasted the names of "Schochtmadony" and "Skellat."

The old practice of presenting a spoon on laureation has left its trace in a collection of thirty-five common silver table spoons.<sup>1</sup> Some richer graduates increased the offering. A silver cup without name or date, with handle and cover, but of poor workmanship, has only the College arms upon it. Two cups of silver bear to have been presented by foreign students, who, after studying perhaps for a short time, probably received honorary degrees.<sup>2</sup>

The *poculum caritatis*—a low silver cup, with handles and cover, bears to be the gift of the munificent benefactor of the University, Dr James Fraser.<sup>3</sup>

It is not very easy to ascertain the causes which regulate the increase or decrease of students. A favourite

<sup>1</sup> They are all of the same stamp, "C. A.—A. B. D."—and each engraved "C. R."

<sup>2</sup> These cups are nearly alike. The one is inscribed—*Almæ universitati Aberdonensi in amoris sui tesseram donavit Petrus Specht Borussus, in eadem laurea donatus anno 1643.* On the other is *Andreas Thomsonus Scoto-borussus coll. Reg. Aberd. ibid. educat. dono dedit, 1643.* It is remarkable that though both names occur among the matriculations of 1641, neither is found among the graduates. Perhaps the degrees were conferred *extra ordinem*, without the requisite previous study, and

not to be registered among the *bona fide* laureates.

<sup>3</sup> It has the arms of Fraser on one side, and those of the University on the other. Round the brim is inscribed—*Poculum hoc almæ suæ matri Coll. Reg. Aberdon. dono dedit Jacobus Fraser D. U. J.* This cup—in *celebrioribus Academiæ conventibus utendum* (*Fraser-eides*)—is now produced only at the Professors' breakfast on the day of commencement of Session, when toasts are drunk to each Professor and his class; and finally a health—

*Benefactoribus et benefactoris!*

Regent might of old account for a large class ; but there are periods of fulness and others of decrease which we cannot explain. The average number of intrants, of the first ten years of the seventeenth century, did not exceed nineteen. Before the Restoration it had increased to thirty. For the decade succeeding the Restoration (1660), the average amounted to seventy. In the middle of the last century, the attendance had fallen off so much, that for the ten years following 1756 it amounted to only twenty-nine. Since that time the University has gradually recovered, and the average number of intrants for the last ten years may be stated at ninety.

From these numbers, it is evident that the University of Elphinstone and Forbes—the school which has been taught by the Gregories and Reid—has not decayed ; and, while the present principle of election is maintained, which fills each vacant chair with the candidate conscientiously believed to be the fittest for it, the University will flourish.

The thesis of the *magistrandus*, to be maintained against all impugnors, the last shred of the old scholastic disputation, has been long abandoned by all the Scotch, as well as by the English Universities, and, but for its old associations, it is not seriously to be regretted. Another innovation is much more questionable. In Aberdeen, as in other Scotch Universities, the degrees of Bachelor and Licentiate have disappeared ; to the evident loss of a system of teaching depending so much on sustained emulation and public competition. But, in giving Master's degrees, which rank with the A.B. degree of

England, without special examination, the University has evidently abandoned a valuable test of general academic study and advancement.

Elphinstone's constitution, originally less popular than was usual and almost necessary in the older Universities, has not grown more liberal. There is no evidence of a single convocation or meeting of all members of the University since the Reformation. Even the Rector is not, as elsewhere, elected by the whole body. And the election of the masters by the masters is a solecism only to be defended by the two reasons—that it is not easy to constitute a good electoral body ; and, secondly, that the present system, administered as it now is, works very well.

We have seen how the influence of one good prelate and his learned associates was felt for some time to refine the society of the town of Aberdeen and neighbouring country. It is too much to suppose that influence still continues ; but if, as it has been thought, the citizens of Aberdeen are superior in cultivation and intelligence to those of other provincial towns, it is without doubt owing to the means of higher education brought within the reach of the middle class, and yet more to the academic element which pervades the upper classes of the great and energetic commercial city.<sup>1</sup>

<sup>1</sup> It would not be easy to point to a better proof of this generally diffused cultivation than the maintenance and continued prosperity of the Spalding Club—a body which has already done much to supply the defect, general throughout Scotland, of works of local antiquities and history, and which seems

peculiarly well placed in the country of Straloch and James Gordon. The Metropolis and the great city of Glasgow have similar societies ; but no other provincial district of Scotland has even attempted an institution having in view objects of such intelligence, and requiring such extended sympathy.

I have thought it allowable for one unconnected with the district, but who has necessarily become acquainted with the constitution and past history of the University, to point to some changes which seem in themselves desirable, and capable of being effected without external aid, while most of them are more practicable here than in Universities situated in great towns. But the greatest and most evident of all academic reforms in Aberdeen is the union of the sister Colleges. The trifling inconvenience that may be felt by some of the citizens is hardly to be named in comparison with the great advantages that would result from such a measure. If the law and medical lectures were carried on in the town building, in the neighbourhood of the courts and hospitals; if the education in languages, philosophy, and theology were conducted in the venerable rural retreat, Aberdeen would afford a specimen of as convenient arrangements for teaching as any University can boast of. An end would be put for ever to the petty jars which have sometimes disturbed the neighbouring schools; and by uniting classes and salaries, a respectable maintenance would be secured for the masters, and consequently the means of obtaining the best masters.<sup>1</sup>

I trust it is a pardonable vanity which prompts me

<sup>1</sup> These may be considered the suggestions of one ignorant of local interests and pretensions. Neither do I attach much importance to them, or to any peculiar form or condition of union. It is the union itself that is indispensable. An Act of Parliament of two clauses

would be sufficient; the first declaring the Colleges a united body in all respects; the second, naming four commissioners (men of high standing as well as intelligence) with power to settle the details of its consolidation.

*Note.*—This was written 1854.

to record that in writing these historical observations on two of our Scotch Universities, I had assistance from two friends, both now dead, whose friendship might make any man proud—Sir William Hamilton and Principal Lee. From the former I derived most of my slender acquaintance with the ancient and foreign University usages ; and I had the satisfaction to know that he approved of the use to which I had turned his materials. Dr. Lee's library and memory were to the last of life a great storehouse of Scotch academical and ecclesiastical history. Giving liberally to literary friends, I fear he carried more with him than remains in any living man. For the use of rare books—often for the knowledge of their existence—I have been indebted to Mr. D. Laing. For local literature and northern knowledge, I went to the best fountain, Mr. Joseph Robertson. Finally, let me not pass over my obligation to my accurate, careful, and zealous fellow-labourers, Mr. Francis Shaw of Aberdeen, and Mr. James Gordon, now of Edinburgh.

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## CHAPTER III.

### FAMILY PAPERS.

THE literature of Family History, which went down at the French Revolution, has come to life in our time, but in a somewhat different shape. We are not satisfied now with a detail of pedigree, and an array of its proofs. The literature that was confined to glorifying a family does not satisfy an age that pretends to higher views; and we demand in such books—if they deal with anything short of great historical families—either a display of personal character, and the interest of personal adventure, such as Lord Lindsay has combined so successfully in his *Lives of the Lindsays*, or else illustrations of social history, of the character and spirit of the age, and of the customs and condition of the people at various times.

Some collections of family papers, lately printed either for private circulation or for limited clubs, furnish matter both of public and domestic history not to be found elsewhere. First in the list comes the great name of Douglas.

### MORTON PAPERS.

The Register of the more ancient writs of the Douglases of Dalkeith, Earls of Morton, which is probably the

oldest chartulary of lay possessions in Scotland, consists of two parts ; the older written soon after the middle of the fourteenth century, and the latter about its close. Together they contain about three hundred charters. There is also preserved at Dalmahoy an immense mass of original charters and family papers, which have been used to some extent for a book entitled *Registrum honoris de Morton*, printed for the Bannatyne Club.

Since the time of old Hume of Godscroft, it is surprising how little of the attention of Antiquaries has been directed to the early pedigree of Douglas. Contented with their fabulous original and the real splendour of their historical period, the extant families of Douglas have not sought to give that precision to their descent which modern accuracy demands, and which can only be drawn from charters or authentic records. When any one qualified for the task shall be induced to undertake it, he will find some of his most valuable materials in the charter-room of Dalmahoy.

The historian of the house of Douglas has said of his subject, "We do not know them in the fountain, but in the stream ; not in the root, but in the stemme ; for we know not who was the first mean man that did by his virtue raise himself above the vulgar."<sup>1</sup> Mr. Chalmers, with no weakness for romance, thought he had discovered "the first mean man" of the family in a certain Theobald the Fleming, who had a grant of land on the Douglas water, from Arnold, Abbot of Kelso, in the middle of the twelfth century.<sup>2</sup> It has been shown

<sup>1</sup> Hume of Godscroft's *History of the Houses of Douglas and Angus*, Preface.

<sup>2</sup> *Caledonia*, I. 579.

elsewhere that that was not the original land of the Douglas family, although upon the bank of the same river, and that there is no proof nor any probability of William of Douglas of the twelfth century, the undoubted ancestor of the family, being descended of the Fleming who settled on the opposite side of his native valley.<sup>1</sup> These charters correct another mistake of the author of *Caledonia*, who says, that no person of the first six descents of the Douglasses had obtained one grant from the Crown—asccribing their rise to greatness solely to the services of the “good Sir James.”<sup>2</sup> The ancestry of the first William of Douglas, indeed, is not to be found in a Scotch charter-chest. Like the other knightly and baronial families of the Lowlands, he probably drew his origin from some Norman or Saxon colonist, who in that age of immigration and fluctuating surnames, sunk his previous style, perhaps some changing patronymic, like those of the ancestors of the Stuarts and of the Hamiltons; though little dreaming how illustrious was to become the name which he adopted from his settlement on the bank of the Douglas water.

William of Douglas, who is known at the conclusion of the twelfth century, and who appears as a person of some consequence during the whole reign of William the Lion, had six sons—Erkenbald or Archibald, his heir; Bricius, a churchman, prior of Lesmahagow,<sup>3</sup> who in the

<sup>1</sup> See above, pp. 183, 184; Sir Walter Scott, note to the *Monastery*, chap. xxxvii.—*Waverley Novels*, x. 472, 473, Libr. edit. 1853.

<sup>2</sup> *Caledonia*, p. 584. It can be shown that, in the year 1296, William of Douglas, the father of “the good Sir James,”

besides his fief in Douglasdale, and the manor in Northumberland, held lands in six Scotch counties—Fife, Edinburgh, Berwick, Wigtown, Dumfries, and Ayr.—*Rotuli Scotiae*, i. 24.

<sup>3</sup> Lesmahagow was a cell of Kelso, and Bricius and his brother Hugo seem



year 1203 was preferred to the great Bishopric of Moray ; and four others, who seem to have been provided for out of their brother's northern benefice.

Erkenbald of Douglas is found witnessing charters before the end of the twelfth century, and is known in transactions as late as 1228. This personage attained the dignity of knighthood, and acquired lands beyond the original territory in Douglasdale.<sup>1</sup>

Several of the charters of the Morton Register throw light upon those earlier generations of the family, even before it had become historically illustrious. Thus, at the beginning of the thirteenth century, Malcolm Earl of Fife granted to Archibald of Douglas, son of William of Douglas, the land of Levingston and the land of Hirdmanston, both formerly held by William of Kilmaron ; and King Alexander II. confirmed that charter before the year 1226. It is remarkable that, although the family had been for a century before in possession of the lands from whence they derived their name, there is no *charter* evidence of any earlier property held by them than these grants of Levingston and Hirdmanston.<sup>2</sup> One of the witnesses to the Earl of Fife's charter, Freskin, Dean of Moray, marks the early connexion of the Douglasses with that diocese, to which they had already given a bishop, and perhaps

to have been monks of that great Abbey.  
—*Liber Vitæ Eccl. Dunelm.* p. 95.

<sup>1</sup> The authorities for these descents are cited in the *Origines Parochiales Scotiæ*, under the parish of Douglas.

<sup>2</sup> Setting aside the authority of Boece and his fabulous Parliament at Forfar in 1061, which was attended by "Gulielmus a Douglas"—the first transaction of

any of the family or name of Douglas recorded by Godscroft, is the marriage of Hugh Douglas, the son of William, with Marjory Abernethie, sister of Hugh Lord of Abernethie, in 1259. This historian may be trusted where he quotes documents. He describes the contract of marriage "which the Earles of Angus have yet extant."—*Hume of Godscroft*, p. 12.

also with that great family of the north, the De Moravias, with whom they had arms in common, and of whom old Wyntoun says,—

“ Of Murrawe and the Dowglas,  
How that thare begynnyng was,  
Syn syndry men spekis syndryly  
I can put that in na story.  
Bot in thare armis baith thai bere  
The sternis set in lyk manere.  
Til mony men it is yhit sene,  
Apperand lyk that thai had bene  
Of kyn be descent lyneale  
Or be branchis collaterale.”

The next Sir William of Douglas was probably the son of Sir Archibald, but this step of the pedigree is not proved otherwise than by his inheriting the family lands. He lived till about 1276.

It is hardly on better evidence that it is asserted that Andrew, the founder of the House of Dalkeith and Morton, was brother of this Sir William, and consequently son of Sir Archibald of Douglas, Lord of Douglas,<sup>1</sup> or that Sir James, who had charters of Kincavill and Caldor-cler, and took his style from Lothian—*de Laudonia*—and who died about 1320, was the son of that William who was undoubtedly the son and heir of Andrew.

Here, however, the doubts and difficulties of the pedigree cease. Sir William of Douglas, “of Liddesdale,” who flourished during the reigns of Robert I. and his son, is described in charters as the son of the late Sir James Douglas of Lothian. Supporting Bruce along with his

<sup>1</sup> The fact seems to rest upon their occurrence together as witnesses to a charter in favour of the monks of Dun-

fermline, where they are entered as *Dominis Willelmo et Andrea de Dufglas*. — *Reg. de Dunfermelyn*, p. 97.

kinsman and chief, "the good Sir James" of Douglas, he received royal rewards for his service, and transmitted to his nephew Sir James, besides the territories which had got for the family the designation "of Lothian," extensive lands in Tweeddale, the old Graham lordship of Dalkeith, and the great territories of Liddesdale, with the valleys of Esk and Ewys forfeited by the De Soulis and de Lovels—and, as if for the express benefit of genealogists—left an entail calling to his succession, in their order, the five sons of his brother John.<sup>1</sup>

The eldest of these, Sir James Douglas, a man of enormous territories and great real wealth, is the personage whose transactions occupy the greatest space in our chartulary. With his wife Agnes of Dunbar, daughter of "Black Agnes," the heroic Countess of Dunbar, he got not only the lands of Mordington, Whittingham, and a territory perhaps not so tangible in the Isle of Man, but also by royal grant for her life, *pro apparatu et amictu ipsius*, the incredible sum of 1000 marks a year, to be levied out of the customs of Aberdeen and Haddington. Hitherto the family had taken their designation from their castle of Dalkeith, or from Liddesdale, though sometimes styled popularly "of Lothian;" but a grant from his brother-in-law George Earl of Dunbar, of the lands of Morton in Nithsdale, eventually changed their style and title.

The marriage of the daughter of Sir James of Doug-

<sup>1</sup> It may be conjectured that it is to these five brothers that Froissart alludes in his most perplexing notice of the Douglasses of his day—"I have sene a five bretherne, all squiers, bearyng the

name of Duglas, in the Kyng of Scotlandes house David; they were sonnes to a knight in Scotlande called Sir James Duglas."—*Cup.* cxlvii.

las with Sir John of Hamilton, Lord of Cadyhow, was arranged by an indenture of 1st November 1388, the original of which, still preserved at Dalmahoy, is so curious in its provisions that it has been thought proper to print it translated in the Appendix. The seal appended gives the earliest coat-armour that is known of any of the name of Hamilton.<sup>1</sup>

Sir James of Douglas showed his munificence to the Church during his life as well as in his latter will. Dalkeith was not then an independent parish, but part of the parish of Lasswade. Besides endowing a chapel in his castle of Dalkeith, dedicated to the Virgin and Saint John the Baptist in 1377, he founded and endowed a chaplainry in honour of Saint Nicholas in a chapel, which previously existed at the village, dedicated to the same Saint. This chapel of Saint Nicholas of Dalkeith grew by his bounty, till, in 1406, it acquired the shape of a Collegiate Church for a Provost and five chaplains with manses and full establishment, the stipends provided out of his lands.<sup>2</sup> It was not till a century after the first endowment of Sir James's chaplains, that his descendant James first Earl of Morton completed the establishment of the Collegiate Church of Dalkeith, by adding three canons endowed with the tithes of three parishes, of Newlands, Kilbucho, and Mordington.

<sup>1</sup> An earlier seal is described by T. Innes as extant in his time in the Scots College at Paris. It was of David Hamilton, in 1361, and Innes blazons it, *Super scuto tria quinguesolia*.—*Regist. Episcop. Glasg.* vol. I. Tabula, p. cxxxii. No. 297, note i.

<sup>2</sup> The curious and valuable deed, the *Magna Carta* of the College, is not preserved either in the Chartulary, or among the original writs at Dalmahoy; but the original is in the charter-chest of Kilsyth.

Undoubtedly the most interesting documents among the Morton papers are the two wills of Sir James Douglas of Dalkeith, 30th September 1390, and 19th September 1392—the oldest wills of any Scotchman known to be extant.<sup>1</sup> Commending his soul to God, and the blessed Virgin, and all saints, he gave his body to be buried in the Monastery of Newbattle, beside his first wife Agnes. He appointed Archibald Earl of Douglas, and Sir Henry of Douglas, his uncle, to be guardians of his heir. He gave the half of all his free goods for his funeral, and for masses and alms for the weal of his soul; also his best horse and his arms as a funeral offering to the vicar of Lasswade. He left to James his son and heir, helmet and full arms for tilting,<sup>2</sup> and his best jack and tushes, with his second-best horse—an owche with a ruby in the middle, a ring *de columna Christi*, and a cross made of the true cross—*super quam pendeat Jesus*—a relic of the hair of Mary Magdalene enclosed in silver, a circlet of gold, and a great counterfilet of gold, a silver basin with a cover, weighing £15, 3s. 8d., his best gilt cup, weighing £18, 2s. His best ring with a sapphire, which was his lady mother's, and which she gave him with her blessing, he left to his heir with his cordial blessing. He left him also a large quantity of silver-plate, dishes, chargers, and cups; his best bed; all his books, both those of the Statutes of the kingdom of Scotland and

<sup>1</sup> These had been previously printed in the second volume of the Bannatyne Miscellany. A much older Scotch will, that of Saint Gilbert de Moravia, Bishop of Caithness, is said to have been extant in 1636; but it is now unhappily

lost.—Sir R. Gordon's *History of Sutherland*.

<sup>2</sup> Along with his tilting arms, he bequeaths *unum rethe quod fuit in bombicino meo*,—perhaps the silk dress worn over arms in the tilt-yard.

*those of romance.* He left to his daughter Jacoba, a circlet of gold of forty marks price ; to his son John Douglas of Aberdour, all his books of grammar and logic, and ten pounds yearly until he should be provided in ten pounds' worth of land. He specially requested that the books he had borrowed might be returned to their owners. He bequeathed to the Earl of March, his brother-in-law, a ring with a ruby ; to his son James his second-best belt, a pair of plates and the rest of a suit of armour for the tournament ;<sup>1</sup> to his brothers William and Nicholas, each a suit of armour ; and to the former twenty marks sterling, and to the latter ten marks yearly. The rest of his arms he ordered to remain perpetually in his castle of Dalketh. He bequeathed to John de Livingston a ring with a Saint Christopher ; a chalice and missal to the Chapel of Saint Nicholas of Dalkeith ; a small sum for the support of the fabric of Saint Andrews ; a jewel of Saint John of the price of forty marks to the Church of Newbattle. He gave for the building of the church of Newbattle, and the wages of the masons, £23, 6s. 8d. ; and twelve silver plates, weighing £18, 6s. sterling, for the use of the refectory, with other sums to the monks, to pray for his soul. He left £20 to the Monastery of Kelso, and many small sums to individuals whom he only mentions by name. To be distributed among the poor he gave £13, 6s. 8d. He gave legacies to the Friars Preachers of Edinburgh and the Minorites of Haddington. He left to Elizabeth his sister a brooch of gold ; to Sir Henry

<sup>1</sup> *Pro hastiludio de guerra.*

his brother a small ring with a sapphire ; to Sir Archibald Earl of Douglas a ring with a ruby, inscribed *Vertu ne puz auoir conterpois* ; also a sapphire that purifies the blood and which has a stalk of gold ; also his second best gilt cup, with a cover, weighing £8. He left to his son William a gold ring with an emerald, circumscribed with a posey beginning *Remembrance*. He directed for the weal of his own soul and of his uncle's, that all bonds of his uncle's that may be found in his keeping should be burned. An aventale and gloves of plate that had belonged to John Ker—won perhaps as the prize of some tournament—were to be restored to him. His robes of cloth of gold and silk, and his furred robes, were to be given to the church of Saint Duthac of Tain, the chapel of Dalkeith, and certain churchmen ; his other garments to his poor servants. He directed the residue of his plate to be sold for the poor. He left his third-best horse, and a jewel of Saint John, that cost forty marks, to the Monastery of Newbattle, and £23, 6s. 8d. to help its fabric. He bequeathed a sum of only £26, 13s. 4d., to be marriage portions to his nieces, the two daughters of Philip of Arbuthnot. He gave £20 for repairing and roofing the chapel of Saint Nicholas, and vestments to each of the churches of Lasswade, Newlands, and Saint Fillan of Aberdour. He gave up to Robert de Livingston his maritage, which he had by gift of the King. He bequeathed to Egidia, his wife, a jewel which she had given him, *dum tamen de jocalibus ulterius non querat*. By his second will, he gave the residue of his goods, after debts and legacies, to the

building and adorning of the chapel of Saint Nicholas of Dalkeith. Sir James long survived these testaments, and died in 1420.<sup>1</sup>

The alliances of this princely person were as high as Scotland afforded. His first wife (beside whom he desired to be buried in the Abbey of Newbattle) was Agnes, a daughter of the house of Dunbar; and it is doubtful if he thought he married more nobly when he took for his second, the Lady Giles Stuart, the sister of King Robert II. His eldest son he married to Elizabeth Stuart, the third daughter of Robert III. It may serve to show how little mere titles of honour were as yet coveted in Scotland, that this family, so great in wealth and connexions, did not receive the dignity of Earl, till James, his great-grandson, having married Johan, the third daughter of King James I., was created Earl of Morton, in Parliament, 14th March 1457.<sup>2</sup>

James, the third Earl of Morton, grandson of the first Earl, having no sons, obtained a new charter of the Earldom,<sup>3</sup> with remainder to (1.) his daughter's husband, James Douglas (afterwards the Regent Morton); (2.) to Archibald Earl of Angus; (3.) to Sir William Douglas of Lochleven; and the heirs-male of their bodies respectively.

By virtue of that settlement, the Earldom came to the Regent. After his death, and when his attainder

<sup>1</sup> *Forðun*, xv. 32. He died of a very fatal epidemic, which the Faculty attributed to the badness of the seasons. It was called by our forefathers the *Quheic*. In our day it would have been named *Influenza*.

<sup>2</sup> The style was declared to be derived from the lands of Morton in Caldorcler, the lands of Morton in Nithsdale having gone to his uncle Sir William.

<sup>3</sup> Crown Charter, 1564. Ratified in Parliament, 1567.



was reversed in 1585, Archibald, the eighth Earl of Angus, became Earl of Morton ; and he also dying without sons, the succession devolved on Sir William Douglas of Lochleven, the lineal male descendant of that Henry who was the fourth in the enumeration of the nephews of Sir William of Douglas in his entail of 1351. In 1368, Henry acquired the lands of Lugtoun, adjoining his father's lordship of Dalkeith ; had charters of Langnewton in Roxburgh from the Stewards lords of Ochiltree ; and of the castle and lands of Lochleven, which gave their style and usual designation to his descendants. He was a person of great consideration, as well as large possessions, being married to a niece of King Robert II., daughter of David first Earl of Crauford ;<sup>1</sup> and he was attached in some manner to the personal service or attendance of the unhappy Prince, David Duke of Rothesay. The descent and subsequent history of that family are well known, but they are not illustrated by the Morton Register, which is necessarily by its date confined to the charters and transactions of the Earls of the first race.

One uninitiated in the exciting pursuit of charter antiquities, cannot readily appreciate the interest with which the zealous investigator searches through a charter-room like that of Dalmahoy. As each massive old chest is approached, and one after another the bolts and locks, with all their quaint devices for puzzling the stranger, give way, and as one after another he opens the little

<sup>1</sup> A mistaken account of this marriage is given in the Peerages, where Marjory of Lyndesay is said to have married

William of Douglas, instead of his father Henry.

oak drawers, and lets in the light upon their sleep of centuries, he is in constant hope of some important revelation. That small charter, no bigger than a man's hand, may remove the mystery which shrouds the origin of the race; may tell us from what château of Normandy, or from what English grange, came the ancestors of the Scotch heroes; who was "the first mean man that did by his virtue raise himself above the vulgar." Even when that expectation is disappointed, the search is not fruitless. The venerable chartulary gives the precision of record to the lives and actions of one branch of the most illustrious family in Scotland. Every chest yields something to gratify curiosity; to fill up a gap in genealogy; to correct the blunders of heralds; to throw light upon the tenure and descent of lands; the correspondence of those who could write, and documents for showing the relations of the various classes of society. It is from such materials that our domestic annals are to be written, and the public history of the country is yet to receive its truest as well as its **most** characteristic colouring.

However the loss of the early Douglas charters is to be accounted for, the family of Morton have been careful preservers of theirs. Besides the Chartulary written "book-ways," there are found in a little black "coffer," a number of narrow vellum rolls of about the same age,<sup>1</sup> some containing lists of charters and title-

<sup>1</sup> One of these Rolls begins—"ROTULUS AD DOCENDUM UBI LITERE DOMINI INVENIENTUR. *Imprimis in uno magno schotyll cum uno W. et una cruce super le tyd—In prima capsâ,*" &c.; and then

the rest are described as *in uno cofino*, or *in secunda capsâ*, and sometimes in Scotch thus: "In the thred schotill of the elder cofyne."

deeds of all sorts, with reference to their places of deposit, but unfortunately (like the table prefixed to our Chartulary) without dates. One consists of a rental of part of the Morton possessions for the years 1376-8, valuable not only for the local antiquary, but as perhaps the earliest rental of lay lands in Scotland.

The house of Lochleven followed the example of their cousins of Dalkeith, and the charter-room at Dalmahoy, which now combines the united collections of both families, shows many marks of care, both in preserving and transcribing their ancient muniments.

There is a carefully written *Registrum Evidentiarum Dominorum de Lochlevin*, compiled in 1573, which commences with the first charter of Henry of Lugton and Lochleven; as well as several bundles of original writs on parchment, inartificially stitched together, and some similar *fasciculi* of transcripts of originals by the family notary.<sup>1</sup>

Although our forefathers began to use their vernacular tongue in law and business documents about the end of the fourteenth century, letters of correspondence are hardly met with in Scotch repositories till the sixteenth. Even to the end of the latter century they are incredibly meagre and unsatisfactory. The writers are evidently suspicious, not only of the channels of communication, but frequently of their correspondents, whom it might be unsafe to trust with any frank expression of

<sup>1</sup> One of these is the letter of James I., charging the Laird of Lochleven to enter himself as one of the hostages for the King's ransom. The notary transcriber has given it the following title, showing

his understanding of such mandates: "The transumpt of ane vreting send be the Kingis grace to umquhil Robert Douglas for ryding of ane raid to Ingland!"

opinion *in writing*. Hence the constant practice in those times of accrediting the bearer to make those revelations which were not to be confided to paper. Another reason, it must be owned, impeded free communication by letter. Although education made a rapid stride just after the Reformation, and it was no longer necessary to enforce the old statute which obliged barons of substance to put their eldest sons to the schools, yet it cannot be said that the classes of nobility and gentry were generally imbued with literature; and the greater number wrote as if they knew neither their own nor any other language grammatically. Many Churchmen, indeed, before the Reformation, were accomplished in all kinds of learning. Public libraries had been established, and a few distinguished laymen had already begun to form private collections of books.<sup>1</sup> But subsequent to the Reformation, and on to the end of that century, there was no general taste for literature; the leading men of Scotland, and women of rank and education, still wrote in the constrained style of people unacquainted with the capabilities of their language, and for the most part not indisposed to leave their meaning obscure.

<sup>1</sup> Some of these are still known to the curious by their book stamps, which were then impressed on the outside of the binding. Schives, Archbishop of St. Andrews, had his books so distinguished before the end of the fifteenth century. It has been seen that Sir James Douglas of Dalkeith counted his books among his valuables, even before the end of the fourteenth century; and his manuscripts, whether of the laws of the realm or of romance, would now be be-

yond price. Even after printing had brought books within the reach of moderate fortunes, we still find *ms.* copies in old libraries; indeed, the greater number of our Law collections continued to be in writing long subsequent to the introduction of printing in Scotland; and manuscript copies of the ponderous romances of the sixteenth century (with variations by the transcriber) are still found at Taymouth and in other old collections.

Accordingly, there is little of the interest of modern correspondence, nothing of the free interchange of sentiment, to be looked for, in a collection like that brought together from the now united repositories of Morton and Lochleven.

There are, however, a number of State papers ; letters of James v., Queen Mary and Darnley ; the Regents Murray, Mar, Lennox, and Morton ; heaps of letters of King James vi. before he went to England—always busy, ever meddling for good or ill in the domestic affairs of his subjects ; a letter of John Knox—his fiery spirit at last burnt out, “taking his good night” of the world ; letters from all the men and women of mark during that period.

Mr. Tytler was the first of our historians who sought to obtain information of events from contemporary correspondence ; and his researches were confined to the public offices, while his attention had been drawn to that source too late for his earlier volumes. What he drew from thence, for the period of his later volumes, is very valuable—perhaps the most valuable part of his history. But he left unexplored many muniment rooms in Scotland, rich in genuine, authentic documents, the proper materials of history, and hitherto unused by the historian.

## THE BREADALBANE PAPERS.

The Marquis of Breadalbane has printed a volume, the materials of which, taken from the charter-room at Taymouth, have been selected more with the view of illustrating the antiquities of the Central Highlands, and the modes of life and thought of their inhabitants in the old time, than for any purpose of public national history, or for the genealogy and antiquities of the family of Breadalbane. But that family having so long borne sway in the district, their personal affairs are to some extent mixed up with all local history ; and a general acquaintance with the early descents of the house of Glenurchy is necessary for the full understanding of the materials thus brought together. It is here supplied by the first article of our collection.

The *Black Book of Taymouth* has been long known and used as an authority in the Highlands. It is now for the first time printed from the ms. of its author, Master William Bowie, who seems to have discharged the double duty of family notary and pedagogue to the grandsons of Sir Duncan Campbell, the seventh laird of Glenurchy. He dedicates his work to his patron, in the month of June 1598, and though he lived to add some matter of subsequent date, the conclusion, coming down to 1648, seems written by a different hand. His chief object was to record the successive acquisitions of property. In his Latin verses, he instils the virtuous maxim—

. . . “ Dominum haud nobilitat domus,  
Antiquissima quanquam et celeberrima :

while in native Scotch he admonishes the posterity of the house of Glenurquhay to follow the footsteps of their ancestors, and, as their chief duty—

“Conques or keip thingis conquest.”<sup>1</sup>

Bowie's narrative of the descent of the family has the advantage of being founded, in all material parts, on charters and written evidence in the charter-room, to which, from his employment, he had access. He only alludes to the origin of the race, and its first settlement on Loch Awe,<sup>2</sup> and then passes at once to Sir Colin of Glenurchy, the second son of the Lord of Loch Awe, who, on 20th October 1432, had a charter from his father of the territory of Glenurchy, and by the second of two illustrious marriages acquired the third of the great lordship of Lorn. Master William Bowie must have taken pride in recording his *conquests*, as well as his building of the Castle of Inverary for his nephew the first Earl of Argyll, and the Castle of Ilankeilquhirn,

<sup>1</sup> To “conqueis” is to acquire. In law language we still speak of property of *conquest*, distinguished from that inherited.

<sup>2</sup> “The Stock and Immediat Originall off the Hows of Glenurquhay.

“Imprimis, Duncane Campbell, commonlie callit Duncane in Aa, knicht of Lochow (lineallie descendit of ane valeant man, surnamit Campbell, quha cam to Scotland in King Malcom Kandmoir his tyme, about the yeir of God 1067, off quhom came the hows of Lochow), quhilk floorished in King David Bruce his dayis, etc.

“The foirsaid Duncane in Aa, knicht of Lochow, hade to wyffe Margaret Stewart, dochtir to Duke Murdoch, on whom he begatt tua sones, the eldar callit Archbald Campbell, the other

namit Colene Campbell, quha wes the first laird of Glenurquhay descendit off the hows of Lochow off the name of Campbell.”

“The foirsaid Colene (quha eftirwart was stylit Sir Colene) receaving from his father, the 20 of October anno 1432, the foirscoir marklandis of Inuerynen, etc., lyand on Lochow, mareit to his first wyff, Mariott Stewart, dochtir to Walter Stewart of Albanie (sone to Isobell Duches of Albanie and Countess of Lennox), quhilk Mariott departit schortlie thaireftir but successioun.

“The said Sir Colene, eftir the deceis of his said first wyffe, mareit Jonett Stewart, eldest dochtir to William Stewart, lord of Lorne (with quhom he gatt, in name of tochirgude, the aughtene markland of the bray of Lorne, hir father

long the chief strength of his own descendants. He built also the Tower of Strathfillane, and the barbican wall of the Isle of Loch Tay, whence the canons, who had given shelter and a grave to Queen Sibilla, had been ejected long before. The last two seem to mark the intention thus early, if not rather the natural tendency, of the younger of the great families of Campbell to withdraw from under the shadow of the elder house. That Sir Colin was a Knight of Rhodes, and was "three sundry times at Rome," we must receive on our chronicler's testimony, unless it may be thought to have some support from the popular pedigrees of the Campbells, where Sir Colin is styled "Colin duibh na Roimh," black Colin of Rome; and from the family tradition recorded in the very curious inventory of *heirship moveables*, made up in Sir Robert's time, where, among the jewels of the house, we find "ane stone of the quantitye of half a hen's eg set in silver, being flatt at the ane end and round at the uther end lyke a peir, whilk Sir Coline

being then alyve. Bot eftir hir said father his deceis, the hail lordschip of Lorne falling to his thre dochteris heretrices thairroff, the said Sir Colene, be vertew of his vyff, eldest of the three, fell to the hail superioritie of the lordschip of Lorne, and first thrid thairroff, extending to tua hundreth and fyftie marklandis). On hir he begatt ane sone callit Sir Duncan Campbell, quha succedit laird of Glenurquhay, and ane dochtir callit Geilles Campbell, quha wes mareit on M'Cowle in Lorne."

"The said Sir Colene, being tutour to his brother sone Colene Campbell (quha wes maid first Erle of Ergyle), he mareit him on the secund heretrice of Lorne, and thaireftir (for the favour he bure to

him, and the standing of his hows) frelie dimittit unto him the superioritie of the hail lordschip of Lorne.

"And biggit, induring the tyme of his tutoritie to his brother sone foresaid, the Castell of Inuerraray. Item, thaireftir he biggit to him self the Castell of Ilankeilquhirn, in Glenurquhay. Item, the barnekyn wall of the Isle of Lochtay, and the toure of Strathfillane.

"Memorandum, the said Sir Colene, throch his valiant actis and manheid, was maid knicht in the Isle of Rhodis (quhilk standeth in the Carpathian Sea, near to Caria, ane countrie of Asla the les), and wes thre sundrie tymes in Rome."



Campbell first laird of Glenurchy woir when he fought in battel at the Rhodes agaynst the Turks, he being one of the knychtis of the Rhodes.”<sup>1</sup>

Sir Duncane, the second laird, acquired land by precarious titles all round Loch Tay, and as if destining that to be the future centre of the family possessions, while he built “the laich hall” of Kilchurn, he “byggit the great hall, chapel, and chambers in the Isle of Loch Tay.” Sir Duncane was slain at Flodden with his cousin the Earl, and buried with him at Kilmun, “because in the foresaid field they died valiantly together.”<sup>2</sup>

Of Sir Colin the third, and Duncan the fourth laird, their historian chronicles little more than that the former built the Chapel of the Blessed Virgin of Finlarg, “to be ane buriall for himselfe and his posteritie,” and that both kept all things left to them by their worthy predecessors.

John and Colin, the fifth and sixth lairds, were

<sup>1</sup> The jewel so particularly described as the amulet worn in battle by the Knight of the Cross, would seem to have been used as a charm for more homely purposes afterwards; and one agreeing marvellously with its description is still at Taymouth, though it has not remained continuously in the family custody.

<sup>2</sup> “Duncan M’Callein an dygriddir,” Duncan, the son of Colin the good knight, is the subject, as well as apparently the author, of some Gaelic verses, preserved in the collection of Dean M’Gregor, now in the Advocates’ Library, a collection which must be studied whenever the antiquities of Gaelic literature are to be honestly illustrated.

Some of the verses attributed to Sir Duncan are a lament on sudden mis-

fortune after prosperity, ending in lines which are translated—

“Yet bare though my state be,  
I must not be heard to complain.”

Others are coarser than even the licentious writers of France of that time indulged in.

Duncan of Glenurchy was not the only poet of the family. The Dean of Lismore is pleased to record some licentious verses, under the name of *Isabella Countess of Argyll*. This is the high born heiress of Lorn, who is called (though by a wrong name), in an unpublished *ms.* history of the clan, *Mar-rate na ndaahn*, from her inclination to rhyming. Another lady of the chief family—Isabella (*niric Callen*), daughter of Argyll—has some Gaelic love verses attributed to her in the Dean’s most curious collection.

brothers of Duncan the fourth. Colin, though inheriting after two brothers, was thirty-three years in possession, and falling in the time of dilapidation of church lands, had time and means to convert the "tack" of many lands of Breadalbane, held of the Charter-house of Perth and of the Crown, into a secure feu-tenure, and to *conqueis* many other lands in Perthshire, and a town lodging in the county town. He built the Castle of Balloch, where the house of Taymouth now stands;<sup>1</sup> and he added the four *kernils* (corner towers) and the north chambers to the hereditary mansion of Kilchurn. Bowie celebrates him as "a great Justiciar all his time," in that he caused execute many notable limmers<sup>2</sup> (not the least notable being that "Duncan Laideus," whose story will come afterwards), and even the Laird of M'Gregor himself, that is, Gregor Roy of Glensthræ, who was beheaded with much solemnity on the green of Kenmore.

The seventh laird, Sir Duncan, our author's patron, is a person on whose history we dwell with more pleasure. Bowie records a glorious list of conquests of lands and church possessions, and the provisions he bestowed on his children, legitimate and illegitimate. But we have interest of another kind in Black Duncan — *Donacha dhu na curich*, as he is called, from the cowl in which he is represented in his picture at Taymouth. He was, if not the first of Scotchmen, the very foremost of Highland proprietors, to turn

<sup>1</sup> It was to be built where he should first hear the blackbird sing on his journey down the glen. Part of Sir Colin's work still remains at Taymouth, and

some of the escutcheons of arms with which he ornamented his house are preserved at one of the park gates.

<sup>2</sup> Thieves.

his attention to the rural improvement of his country. His predecessors had indeed built rude dwellings and places of defence, round which time and decay have thrown a picturesqueness little thought of in their erection. But we find no signs of these earlier lords appreciating their beautiful country, or trying to increase its comforts or its productiveness. It cannot be said that Sir Duncan himself had taste for the picturesque, but he knew the profit as well as the beauty that might accrue from clothing the hill-side with timber, and securing shelter round his mansion. He had some feeling for art also. He built the Castle of Finlarg, and ornamented its chapel "with pavement and painterie." He built the tower of Achalladour, repaired Ilankeilchurn, built the house of Lochdochart, a great house at Barcaldine in Benderloch (between Loch Etive and Loch Criran), defended the grounds of Balloch against the river by a great embankment. He built or repaired the church of Glenurchy, and built a bridge over the water of Lochy, "to the great contentment and weal of the country." He was enterprising enough to travel abroad, and passed to the courts of England and France, and, in 1602, thought good to take a view of Flanders and of the wars. He took measures for enforcing an old Scotch law which enjoined the planting of a few trees about every tenant's and cottar's dwelling; and on the greater scale which became the landlord, he "caused make parks in Balloch, Finlarg, Glenloquhay, and Glenurquhay, and caused sow acorns and seed of fir therein, and planted in the same young fir and birch." He seems to have

imitated his cousin, William Earl of Gowrie,<sup>1</sup> in introducing trees of foreign growth, and tradition points to him as the planter of the venerable chestnut and walnut trees at Finlarg and Taymouth. He was probably the first of Scotchmen who brought in fallow deer; for our chronicler tells us that in 1614 he took a lease of the Isle of Inchesaile from the Earl of Argyll, and in 1615 "put fallow deir and cunnynngis" therein. In another department of rural policy, it is not so certain that he was first, but it is of him that we have the first evidence, in connexion with the rearing of horses. In one bloody foray the M'Gregors slew forty of Sir Duncan's brood mares in the Cosche of Glenurchy, and at the same time a blood horse, "ane fair cursour sent to him from the Prince out of London."<sup>2</sup> The horse had come to an untimely end even before his royal master was taken away, but the stud went on increasing under the careful eye and vigorous management of Black Duncan.

Sir Duncan may be thought to have inherited some of these tastes through his mother, a daughter of the

<sup>1</sup> When the Earl of Gowrie was pressed by Home of Godscroft to join in the second conspiracy, for which he eventually suffered, "looking very pitifully upon his gallerie," says Godscroft, "where wee were walking at that time, which he had but newly built and decorated with pictures, he brake out into these words, having first fetched a deep sigh—'Cousin,' says he, 'is there no remedie? *Impius hæc tam cultu novalia miles habebit! Barbarus has segetes!*'" —(Godscroft, Edit. 1644, p. 377.) Upon a scrap of paper on which, while in prison, he had noted down some pleas to be addressed to his judges, we find

written—"What pitie it wer to take me from my parks and policie!" He was an extensive planter for that age, and particularly fond of the Spanish chestnut and walnut.

<sup>2</sup> We know something of this "fair cursour." The Knight of Glenurchy had presented the Prince (Henry, son of James VI.) with some eagles with which he had had good sport, and in return the prince sent him "a horse to be a stallon, one of the best in his stable," with a hope that when he came to Scotland seven years hence, he should get some of his breed.

accomplished and unfortunate house of Gowrie. I have found only one of her books in the library. It is a copy of Sleidan's Chronicle, London, 1560. On a fly-leaf she has written, *This buke pertenis to Catherine Ruthven Lady of Glenurquhay.*

We have abundant evidence that the seventh laird was a man of affairs, and well maintained his place in that age of unscrupulous politicians. In his own territories, castles and family, he practised a very vigorous personal control and the most methodical administration. The estate books and books of household accounts and inventories kept under his direction give us the earliest picture we have of the life of a great Highland lord.

It is not so easy to imagine the rough chieftain cultivating literature ; yet, grim as he stands in his picture at Holyrood, the Black Duncan had a taste for books, read history and romance, and is not quite free from the suspicion of having dabbled in verse himself. Several of his books are still preserved at Taymouth, where the frequent inscriptions in his own hand show he took pleasure in them ; and we must remember that book collecting was not yet a fashion. One of his favourites, in which he evidently much delighted, was *The Buik of King Alexander the Conqueroure*, a ponderous romance in ms.<sup>1</sup> Some original verses, mostly moral and religious, written on the blank leaves of his

<sup>1</sup> This, which has never been printed, is a translation of the great French *Roman D'Alexandre*, executed by Sir Gilbert Hay, c. 1460, and extends to about 20,000 lines. Two copies are at Taymouth ; both apparently transcribed

for Sir Duncan, who has written his name repeatedly in one of them, with the dates 1579, 1581, 1582. The other copy contains at the end Duncan Laid-eus's testament, which will be mentioned hereafter.

books, would be worth preserving, if it were possible more satisfactorily to establish their authorship.

The influence of Sir Duncan Campbell extended over an unusual length of time. He was forty-eight years lord of the family estates, and was eighty-six years old when he died in 1631.

The next generation carries us a long step forward in civilisation. Sir Colin, the eighth laird of Glenurchy, was as fond of repairing and extending his family castles as his father had been. Moreover, he gave in to the new luxuries of rich furniture and hangings of silk and tapestry, in which England was then showing her wealth. His chronicler records his expenses in arras hangings, silk beds, and damask "napery," brought out of West Flanders. We learn by his books still preserved, that he was not only a Latin scholar, but fond of French and Italian literature.<sup>1</sup> Contemporary portraits are found of Sir Duncan, but Sir Colin is the first of the family who employed artists to paint pictures as ornaments for his house. He "bestowit and gave to ane Germane painter, whom he enterteinit in his house aucht moneth . . . the soume of ane thousand pundis." The name of the German artist is not found, nor is it of much interest to ascertain who painted the "threttie broads" and portraits from fancy which still cover some of the walls at Taymouth. Sir Colin could appreciate the more delicate pencil of an artist of his own country.

<sup>1</sup> He was in the habit of writing on his books those pithy Italian and Latin apophthegms then so much admired. The sentences of Italian seem chiefly to be taken from a little collection, entitled

*Oracoli politici cioè sentenze et documenti nobili et illustri*, printed by Aldus, 1590, a copy of which, marked with his initials, is preserved at Taymouth.

It is to his taste that we owe the largest collection, and perhaps the best works of the pencil of the first of Scotch painters—Jamesone. The notice of Bowie, and the letters of Jamesone himself, preserved at Taymouth, show the rapidity of that artist's work, and the prices he received for his pictures. He undertakes to paint sixteen pictures between July and the end of September, and he informs his patron that his ordinary price is twenty merks for a half-length, or twenty pounds, with a double gilt muller (*frame*). These letters also serve to prove that Jamesone was working at Taymouth while Bowie or his continuator was writing the *Black Book*, and it does not seem unreasonable to conjecture that the fanciful and often grotesque portraits that are found in it are from the ready pencil of one accustomed to paint imaginary portraits, and actually engaged at the time in ornamenting the family tree of the house of Breadalbane. The portrait of Sir Colin, Jamesone's patron, is more careful than the rest, and is evidently a characteristic likeness.<sup>1</sup>

If Master William Bowie lived to write the memoir

<sup>1</sup> The large family tree ornamented with portraits, in the south-west tower at Taymouth, is inscribed, *The Genealogie of the hous of Glenurquhie, quhair of is descendit sundrie nobill and worthie housis*, 1635. *G. Jameson faciebat*. Sir Duncan of Lochow, the great ancestor of the family, is in a red plaid and kilt, with a shirt of mail, short checked hose, and bare knees. The other pictures of Jameson's I have observed at Taymouth are—

Johne, Loird Leslie, 1633.

Thomas, Lord of Binning, 1636.

James, Marques of Hamilton, 1636.

Anna, Marquessa of Hamilton, 1636.

Wiliame, Earl Marischal, 1637.

Johne, Earl of Kingorn, 1637.

Sir Robert Campbell, 1641 (two pictures).

Sir John Campbell, 1642 (two pictures).

William, Erle of Aeirth, 1637.

Johne, Lord Naper, 1637.

Johne, Earl of Mar, 1637.

Loird of Lawden, 1637.

A sketch by this artist of a girl with a goldfinch has no name. It is marked *Ætatis suæ*,—1611.

of Sir Robert, the ninth laird of Glenurchy, it must have caused him much grief. The house of Breadalbane had fallen upon evil times. Public events and family expenses combined to bear it down, and the notary's last pages record the legal steps taken by numerous creditors against the unhappy Sir Robert. It is a pity the old man could not have lived to see the family restored in fortune and increased in honours in the next generation, in the person of his pupil.

The second article selected from the charter-room of Taymouth, has been named *The Chronicle of Fortirgall*, on presumptions afforded by the ms. It is a small 4to book of paper, much decayed and imperfect, giving no name of the compiler or writer. The first part of its contents are almost identical with a chronicle already known and published as Dean M'Gregor's Chronicle. The author (a person whom we reverence as the sole early collector of Highland poetry) was James M'Gregor, Dean of Lismore, and Vicar of Fortirgall. The present compilation notices the death of the Dean himself, which took place in 1551, and brings the record of events considerably lower. We gather from its contents that the writer was a M'Gregor, acknowledging M'Gregor of Glensthræ for his chief; that he was a priest, and "said his first mass" at Whitsunday 1531; that he came to the cure of Fortirgall at Beltane 1532; and that he spent the remainder of his life in that neighbourhood. He records chiefly the obits and funerals of Fortirgall and Inchaddin, though mixed with such as interested him of the passing events of the Highlands, and of the



public affairs of the country. He records that he began to sow oats in the Borllin of Fortirgall on 23d March of each of the years 1575 and 1576 ; and the last entry of his journal is dated 25th April 1579.

But though the period of his record is, all things considered, the most interesting and important of Scotch history, there is no comment on public events, and nothing that is new to the student of history. Within the space of two leaves, the deaths of Rizzio, of Darnley, of Murray, of Archbishop Hamilton, are noted ; without any new circumstances, and with a remarkable avoidance of any expression of feeling. Somewhat more is elicited by the murder or death of some good neighbour or friend of the chronicler, when he deals a short eulogium,—*bonus fuit*,—or especially if he can say—*non fuit avarus*, or *Deus diligit hilarem datorem*, concluding with a *requiescat in pace*, or *Deus propitiatur*.

Perhaps it was necessary caution that prevented him from denouncing more openly the Reformation, to which he was no friend. 1558, says he, *fuit principium novæ legis hereticorum*. In 1559, he records that the summer before, the great *steugh* came in Scotland against the faith that our progenitors had long time afore that. That same summer (1559) “ the charter-house (of Perth) was destroyed, Scone burnt, mekil trouble in Scotland. None durst say mass nor sacrament in the old fashion.” He notes the death of one who was *firmus in fide catholica*, and of several who died *in lege Lutherana*, or who “ renounced the law and the sacraments,” leaving no doubt of his own principles ; yet he occasionally bestows

an *orate pro anima* even upon one of these heretics ; and he records with equal impassiveness the day of St. Bartholomew in France,—“ the Papetis in France slew and murdreist in the nicht mony men and women of the congregation ;” and the death of John Hamilton,—“ the said bissop was tayne and justifeit and hangit in Strywelyn.”

Perhaps the part of the Chronicle of the Curate of Fortirgall which may prove most useful, is his record of the weather,—of good and bad seasons, and of the consequent fluctuation of the prices of victuals. The first noticed by him is 1554, when there was frost and snow “ whiles” before Andersmas (30th November), and continued frost from 13th December, and great snow from Yule day at even, and every day from thenceforth more and more without any thaw till the 17th of January. “ It was the greatest snow and storm that was seen in memory of man living that time. Many wild horses and mares, kye, sheep, goats, perished and died for want of food in the mountains, and in all other parts ; and though partial thaw came on 17th January, it began then to snow and freeze till the 22d day of February, on which day men and women might well pass on the ice of Lyon in sundry places, and little tilth till the 26th day of February, and but in lyth (*sheltered*) places.”

The winter of 1561-62, there “ was mekle snow in all parts, and many deer and roes slaine.” The summer of 1563 he commemorates as “ right dear ; viz., the boll of meal 5 merks.” In the following summer there was “ mekle rain continually, but good cheap of victuals in

all parts." The boll of meal which had been as high as five merks (£3, 6s. 8d.) the preceding year, sold for eighteen shillings, and malt for twenty-eight shillings.

"The summer of 1570 right good, and all victuals good cheap, but the winter and Lentron quarter following evil weather, many sheep and goats died through scarcity of fodder. In the spring of 1571-2, from 15th January till the 22d March great frost, so that no ploughs went till eight days thereafter, and men might well pass and repass on the ice of Lyon the 3d day of March."

But the following winter struck the chronicler of Fortirgall as more than usually severe. "The 22d day of February there came after noon a great storm, of snow and hail and wind, that no man nor beast might lift up their heads, nor walk nor ride, and many beasts perished without in that storm, and many men and women perished in sundry places; and all kinds of victual right dear, and that because no mills might grind for the frost. All corn came to the mill of Dunkeld out of St. Johnstoun (Perth) betwixt that and Dunkeld, and all other bounds about far and near. The meal gave that time in St. Johnstoun, 43 shillings, the malt 34 shillings; and before St. Patrick's day (17th March) the meal was 25s. 8d., and the malt for 30 shillings."

Many other notices of the weather occur, which are always valuable when made at the time and by an eyewitness; and many instances are given of that fluctuation of prices which in times of little foreign trade was ever and anon reducing the people at one plunge from plenty to starvation.

*Duncan Laideus' alias Makgregour's Testament* comes next. Pennant saw it at Taymouth in September 1769, and communicated it to Warton, who speaks of it as "an anonymous Scotch poem which contains capital touches of satirical humour not inferior to those of Dunbar and Lyndesay."<sup>1</sup> He inclines to think the hero and supposed speaker of the poem altogether an imaginary personage, a mere type of the Highland freebooter.

The verses are written on the blank leaves at the end of one of the copies of the romance of Alexander, but in a different hand from it. They are unfortunately anonymous, and we have no clue to enable us to conjecture the author. It was a mistake, however, to suppose that the subject of the poem, the person in whose mouth the satire is put, was an imaginary person. Duncan M'Gregor, called Laideus or Laudasach, was but too well known in Breadalbane and the Highlands for half a century, but the documents and records by which his history is vouched are of the end of it.

He must have been of some standing in the proscribed but powerful clan, although his daring character may have helped as much as his cousinship, to place him in the office of tutor of the young Chief of M'Gregor. His chronicler informs us that in his youth he led the

<sup>1</sup> *History of English Poetry*, p. 482, edit. 1840.—Though so accomplished an English scholar, Warton was hardly able to appreciate the language of Duncan Laideus. His explanatory notes of the few verses which he quotes are very bad. — "Barne tyme," Anglo-Saxon *bearn team*, a family of children, he renders "harvest." "Rig," a ridge of ploughed land, he makes "Rick."

"Quart," he calls an English gallon; I know not why. "Into deid," which means merely "indeed," he reads "unto death." "Allege," which the context ought to have shown him stands for "legate" or "bequeath," he translates "give," "assign." "Sessioun," he makes "Parliament," a sense it never bore in Scotland. Here it means the Court of Session, etc. etc.

life of all his clan,—the life of the Arab robber, or the wolf on whose head a price is set. Hunted “through Lorne, Argyll, Menteith, and Breadalbane,” he retired to the wilds of Lochaber, where he hoped to find shelter with Lochiel; but the Earl of Argyll having pursued him hotly, he doubled back to Breadalbane, where he was taken and thrown into prison by Sir Duncan Campbell, the second Laird of Glenurchy. He escaped, and made himself strong with many followers in the confusion that followed the field of Flodden, where the Knight of Glenurchy was slain, with his cousin of Argyll and their royal master. From this period (1513) till his death, he was the terror of the Highlands. Of the injuries he suffered personally, or the wrongs he may have had to avenge, we know little. The story is told by the other party. His last exploits we must take from the formal narrative of the public prosecutor. On the 26th November 1551, the Queen’s Advocate set forth that “Duncan Laudes and Gregour his sone recently, namely upoun Sounday the 22d day of November instant, at sex houris at evin under silence of nycht, be way of hamesukin cam to the hous of Alaster Owir alias M’Gregour servand to Colyne Campbell of Glenurquhay of the landis of Moreis and be force tuke him furth of his said hous and be way of murthure straik him with quhingearis and crewellie slew him and spulyeit and tuke fra him his purs and in it the soume of fourty poundis; and incontinent thireftir past to the landis of Killing to the hous of ane pure man callit Johnne M’Bayne Pipare, and thair assegit the said hous and brak the durris thair of

and be force tuke the said Johnne furth of the samin and straik his heid fra his body and crewellie slew him and gaif him divers uther straikis with quhingearis in his body," etc. For this murder on his "awin natioun;" as his historian tells us, he and his son were charged<sup>1</sup> and "put to the horne;" which they treated with derision. And the common process of law was not likely to be otherwise treated by such as Duncan. Here, however, it was enforced by others than the Queen's messengers. Alaster Owir, though a Macgregor, was a "servant" of Glenurchy's, who was, therefore, bound to avenge his murder. Of one step taken for that purpose we have the particulars in this collection. On the 11th March 1551,<sup>2</sup> Glenurchy took a bond of manrent or service from James Stewart of Ballindoran, and two Drummonds, whereby these parties bound themselves "with their whole power, with their kin, friends and partakers, to invade and pursue to the death Duncan Laudosach M'Gregour, Gregour his son, their servands, partakers and complices . . . be reason that thai ar our deidlie enemies and our Soverane Ladie's rebels."<sup>3</sup> The foxes

<sup>1</sup> The charge was executed at the Market Cross of Perth, 28th Nov. 1551.

<sup>2</sup> That is, three months after the murder of Alaster Owir; the year ending 24th March.

<sup>3</sup> It may have been in revenge of this undertaking that the M'Gregors, many years afterwards, murdered John Drummond (though under double assurance of their clan) with the circumstances of special and almost soleinn ferocity described in a bond preserved at Taymouth.

The bond, which is by the Earl of Montrose, Lords Drummond and Inch-

affray and Glenurchy (1589), obliges them to revenge the murder of John Drummond, of Drunnevenocht in Glenarknay, by the M'Gregors, "being under their double assurance, neither then outrun," which was in this manner,— "the said Johnne being directit be his cheif, at his Majestie's commandment, for getting of vennisounne to have send to Edinburcht to his Majestie's marriage, the said clan cuttit and of-tuik his heid, and thairestir convened the rest of that clan, and set down the heid befor thame, thairby causing thame authoreiss the said creual murthour."

had still another double for their lives. Notwithstanding the deadly feud that was between them, and although Glenurchy had obtained a gift from Chatelherault the Governor, of the escheat of the outlaws, they found means to avert his wrath, and even to obtain his protection. On the 2d of May 1552,<sup>1</sup> Colyne Campbell of Glenurquhai (the zeal of love and good conscience moving him) received Duncane Makgregour and Gregour his son in his maintenance (*protection*), forgave all manner of actions and faults that they had committed, and gave them back the escheat of their goods which he had purchased when they were the Queen's rebels ; they being now received to the Queen's peace and his favour. The sole condition stipulated was that the Macgregors should fulfil their bond of manrent (*service*) to Glenurchy in all points. The subsequent cause of quarrel we do not learn. The wild blood of the Macgregors may have broken out in some new enormity too great for pardon and too clear for trial. On the 16th of June 1552, says the Curate of Fortirgall, Duncan Macgregor and his sons Gregor and Malcolm Roy were beheaded by Colin Campbell of Glenurchy, Campbell of Glenlyon, and Menzies of Rannoch.<sup>2</sup>

Such was the person in whose mouth the anonymous poet of Breadalbane, following the practice which Dunbar and Lindsay had rendered popular, has put the *Testament* which the poetical Lord of Glenurchy has

<sup>1</sup> Little more than a month after the bond with Stewart and Drummond.

<sup>2</sup> Before the end of 1552 we meet with a gift to Glenurchy of the escheat of

moveables and immoveables of *umquhile* — M'Gregor *alias* Ladassach, and Gregor, his son . . . convict of certain crimes . . . and justyfeit to the death.

transcribed at the end of his favourite *Romance of Chivalry*.

The reader of modern English poetry will require to make some allowance for the time and the country of the Scotch poet of the sixteenth century. But the student of early English literature will find no difficulty in the mere language and spelling ; and much of what now seems uncouth in the thoughts and the management of the poem, is in truth imitated from the great early masters who were writing verse and cultivating the same Saxon tongue in Scotland and England equally and contemporaneously.

The impersonation, in the beginning, not only of the virtues and vices, but of other abstractions, a practice which may be traced back to the “mysteries” and Church plays of the middle ages, will not seem altogether strange to one familiar with the allegories of Spenser and of John Bunyan. Neither will he want authorities for the inartificial confusion of the persons of the supposed speaker and the poet, though, in the present case, this produces a bad effect. We find it unnatural that the robber and outlaw should patriotically lament the Battle of Flodden which gave him his own liberty ;—should describe the hanging of his fellows as a “blessed sacrifice to our Lorde,” and everywhere mix up moral and religious reflections with his triumphant rehearsal of his worst exploits. But after making full deduction for such faults of composition, we find abundance to admire in this short poem.

The testator thus opens his narrative :—



" When passit was the time of tender age,  
 And Youth with Insolence made acquaintance,  
 And Wickedness enforced Evil courage,  
 While (*till*) Might with Cruelty made alliance,  
 Then Falsehood took on him the governance,  
 And me betaught ane household for to guide,  
 Called Evil Company both to gang and ride.

" My master-household was hight Oppression," etc.<sup>1</sup>

He contrasts his past glories with his present state and prospect of death, and sends a message to his comrades,--

" I wot they will say, ' He that should hawd us  
 Is gone for ever, good Duncan Laudus.' "

He describes his progress in crime till King James the Fourth, that royal prince, determined to have him caught. He was hunted through Lorn, Argyll, Men-teith, and Breadalbane ; but, " as a fox, with many a double and wile, from the hounds escapes oft unslain," so he, till Argyll and Glenurchy combined to trap him, and he was put in duress and doomed to death.

In his prison the news of the field of Flodden reached him--

" The tedious tidings through this realm ran,  
 The great defeat and final destruction  
 Of our King with many worthy man.  
 This heard I all, lying in deep dungeon ;  
 I thought me then half out of my prison,  
 For I did aye, as does the meikle Devil,  
 Crabbed of good, and ever blyth of evil."

<sup>1</sup> In these extracts, I have not adhered strictly to the spelling of the original, which sometimes renders the

language unnecessarily obscure to an English reader, as in *quhill* for while.

He escapes, and assembles his old band ; hears with great joy of the death of Argyll and Glenurchy in the fatal battle ; and becomes more formidable than before—

“ Like a wolf greedy and insatiable,  
Devouring sheep with many bloody box,  
To the people I was as terrible,  
Reiving from them many a cow and ox ;  
Were the grey mare in the fetterlocks  
At John Uplands door knit fast enough,  
Upon the morn he missed her to the plough.”

He rejoiced for a time that the king was young and the laws obscured. But anon King James v.—

“ Began into this region for to reign,  
Maist circumspect, with princely governance,  
With manly heart began this awful king  
Trespassers to punish with cruel vengeance.”

Laideus is again hounded out, retreats again to Lochaber, wist not in what hole to hide his head, and was driven to dire extremities, when he was once more relieved by the king's death. On hearing that event he finds his youth restored, gathers his men, harries the country, slays twenty-seven of the Clan Lauren in one place in Balquhiddy in Passion week, burns and slays the Clan-donachie, and at last, in his pride, even sets himself to destroy Glenurchy, and thinks to rule the country.

“ We shaped to fly, but we wanted wings.”

“ Makgregour ” dying, Duncan is chosen “ Tutor.”  
When he levies black-mail—

“ The poor people I put in such a fear,  
Till in their hearts they were wonder fain

To give me yearly one part of their gear,  
From Saintjohnstown west unto Strathfillan."

For the slaughter of Alister Ower, Duncan and his son were put to the horn, but affected to hold it in derision, and returned to reive, steal, oppress, and some as before. Some of his fellows were taken, and some headed, some hanged, and set up high on a gallows -

" Whilk was ane blessed sacrifice to our Lord,  
And right acceptable, I dare stand for it ;  
For, if he be skant of ky in heaven,  
They will him bring I wot each night eleven."

At length, after escaping from two crowned kings, and governors and lords of great renown, the outlaw was taken by Colin of Glenurchy ; and thus he frames his legacy, after an approved form of satire :-

" The time is short that I have now unspent ;  
Of temporal good nought I do possaid,  
While I have space I will make my testament.  
My spiritual good I leave it into deed (*indeed*),  
Spiritual men for me to sing and read.  
For well I wot they will their rights have,  
And I will please them as well as the lave (*rest*).

To my Curate, negligence I resign,  
Therewith his parishioners for to teach :  
Another gift I leave him as condign,  
Sloth with ignorance, seldom for to preach,  
The souls he commits for to bleach  
In purgatory till they be washen clean,  
Pure religion thereby for to sustain.

" To the Vicar I leave diligence and cure  
To take the upmost cloth and the kirk cow<sup>1</sup>  
More than to put the corpse in sepulture.  
Have poor widow six grice<sup>2</sup> and a sow,  
He will have one to fill his belly fou ;

<sup>1</sup> Dues of burial, the most oppressive and odious at that time.

<sup>2</sup> Pigs.

His thought is more upon the Pasch fines  
Than the souls in purgatory that pines.

“ Oppression, the Parson I leave untill (*unto*)  
Poor men’s corn to hold upon the rig  
Till he get the teynd all whole at his will,  
Suppose the bairns their bread should go thig (*beg*),  
His purpose is no kirks for to big :  
So fair a bairn teme God has him sendin,  
These seven years the choir will ly unmenden.”

And so he continues, in a strain of fierce satire,  
against the Churchmen — Dean, Prior, Bishop, the  
Friars :

“ I leave the Abbot pride and arrogance,  
With trapped mules in the court to ride,  
Not in the cloister to make residence,  
It is no honour there for him to bide,  
But erar (*rather*) for a bishoprick to provide,  
For well ye wot a poor benefice  
Of ten thousand mark may not him suffice.”

The Bishop is to have exemption from lay jurisdiction, “for well ye wot the Pope is far from home.” The Friars, his flattery and false dissembling. Then the poor caged savage breaks into this strain of natural regret,—

“ Now fair well Rannoch, with thy loch and isle,  
To me thou wast right traist both even and morn,  
Thou wast the place that would me noch beguile  
When I have been oft at the king’s horn,  
Yit may thou ban the hour I was born,  
For uncourtously I quitted thee thy hire,  
That left thee burning in a fellon fire.

“ Now, good Glendochart, for ever more adieu,  
That oft has been my buckler and my beild (*shelter*),  
Both day and night to me thou wast right true,

And lately, until when I grew in cild (*age*),  
 And durst no more be seen upon the field  
 Than dare the owlet when the day is light,  
 Yet thou me keeped with thy main and might.

“ Fare well Glenloquhy, with thy forest free ;  
     Fare well Fernay, that oft my friend has been ;  
 Fare well Morinche. Alas ! full woe is me !  
     Thou was the ground of all my woe and teyne (*grief*) ;  
     Fare well Breadalbane and Lochtay so sheen ;  
 Fare well Glenurchy and Glenlyon baith,  
 My death to you will be but little skaith.

“ Farewell Glenalmond, garden of pleasance,  
     For many fair flower have I from ye ta'en ;  
 Fare well Strathbran, and have remembrance  
     That thou shall never more see Duncan again ;  
     Atholl, Strathtay, of my death be fain,  
 For oft times I took your reddiest gear,  
 Therefore for me see ye greit not one tear.

“ Fare well Stratherne, most comely for to know,  
     Plenished with pleasant policy preclair  
 Of towers and towns standing fair in row ;  
     I rugged thy ribs till oft I made them rair (*roar*) ;  
     Gar (*make*) thy wives, if thou will do no more,  
 Sing my *dirige* after *usum Sarum*,  
 For oftimes I gart them alarum.

“ Fare well Menteith, where oft I did repair,  
     And come unsought aye as does the snaw,  
 To part from thee my heart is wonder sair,  
     Sometime of me I gart you stand great awe,  
     But fortune has lent me such a blaw  
 That they who dreaded me as death before,  
 Will mock me now with hethyn (*ridicule*) shame and scorn.

*In manus tuas*, Lord that died on rood,  
*Commendo spiritum meum* with humility,” etc.

Some of these verses show a breadth and intensity of satire worthy of Lindsay. There is poetry in the wild wail of the chained robber, and, moreover, a sense of natural beauty and a tenderness of feeling which we do not look for in writers of that age, and which no earlier Scotch poet had expressed so well, if we except the admirable Gawin Douglas.

Bonds of Friendship, Bonds of Homage, Bonds of Manrent and Maintenance, are found in greater or less quantity in all old Scotch charter-chests;<sup>1</sup> but at Taymouth are some of a different character, and some which seem to present new points of interest for the Scotch Antiquary. We have never before had a collection of such transactions from a Highland chief's castle. The mixture of the two elements,—of the patriarchal and the feudal,—of that system where all property was (by theory) in the tribe, and that where (by theory again) property was in the lord alone,—is here seen for the first time. We have a great chief and ruler of many Celtic tribes, living among them and conforming to their customs, yet holding his own territories and his position in the kingdom as a Feudal Baron. The M'Gregors and M'Nabs, like their Celtic brethren, holding property by no written tenures, having perhaps no individual property in the soil, were little addicted to commit their transactions to writing. But with the Norman, came strict rights of

<sup>1</sup> Two large collections of these bonds of homage and friendship—of “manrent and maintenance”—have been lately published by the Spalding Club, one from the charter-room of Slaines, the other from Gordon Castle. For

their objects, and the state of society which gave rise to them, I would refer to the prefatory notices of these collections by the Secretary of the Club.—*Miscellany of the Spalding Club*, II. cvi., IV. xlviii.

property, written tenures, and a propensity to records ; and instead of the vague traditions of the poor Celts, we have here preserved definite, though slight, footsteps of their immemorial usages.

In the charter-chests of lowland Scotland there probably is not an instance of a formal deed of adoption of a child, though the practice was evidently common under the civil law. At Taymouth these deeds of adoption are so common, it was evidently an approved way of transmitting property.

One of them relates how John M'Gillespie received John Campbell of Glenurchy as his own son, and took him on his knee, calling him *filium adoptivum*, that is to say, his chosen son, and, he being on his knee, gave to the said John the half of his goods. In like manner John M'Bay, and Mary Vykfail, his spouse, took the same John Campbell as a bairn of their own, and their special oversman and defender, and delivered a glove in token of all their goods and a bairn's part of their goods after their decease. Many similar deeds in this collection show not only a new form, but a kind of transaction and a state of society unknown in the Lowlands.

The Celtic custom of Fostering was in fresh observance through Breadalbane and Argyll, during the period of these deeds, and extended through all classes. The provisions, when reduced to writing, are almost uniform.

On the 5th November 1580, Duncan of Glenurchy agrees that his native servant, Gilcreist Makdonchy Duff V'Nokerd, and Katherine Neyn Douill, Vekconchy, his spouse, shall have his son Duncan in fostering, they

sustaining him in meat, drink, and nourishment till he be sent to the schools, and afterwards at the schools, with reasonable support, and they and his father settling upon him of "makhelve"<sup>1</sup> goods, the value of 200 merks of kye, and two horses worth forty merks, with their increase; the milk of the cattle being the foster-parents' while they sustain the bairn. There is a stipulation that if Duncan shall die before being sent to the schools, another of Glenurchy's children, lass or lad, shall be fostered in his stead, who shall succeed to his goods; and he, or the bairn that enters his place, is to have at the decease of the foster-parents, a bairn's part of gear with their children.

A similar bond of fostering, with more minute stipulations, was entered into between Duncan of Glenurchy and Duncan Campbell of Duntrone; the former "being of before foster-son to Duntrone and Agnes Niklauchlane his late wife, and Duntrone and Agnes Nikolleane his present wife, "being of the like mind that love and favour should be and continue betwixt the houses of Glenurchy and Duntrone;" they receive Colin, Glenurchy's son and heir in fostering, and the lady promises "to be to him a favourable and loving foster-mother, in the same manner and condition as the said Duncan Campbell of Glenurchy of before was fostered in the house of Duntrone."

The stipulation found in all these deeds, for giving the foster-child his share in the moveable succession, is

<sup>1</sup> This word, though known in connexion with goods appropriated to foster-children, has not been explained satis-

factorily. See Jamieson's *Dictionary*, Supplement, *roc.* "Macalive" and "Dalt."



nothing more than reducing to writing what was the customary law of the Highlanders, in common with the other Celtic peoples.<sup>1</sup> But the real benefit sought by both parties in those transactions, was mutual support and strength. In times when none counted much on the protection of the law, families endeavoured to surround themselves with friends and allies ; and a relation like this of fosterage begot feelings of mutual friendship better than the artificial system of bonds of amity, which were apt to stand or fall with the interest and temper of the parties. In one remarkable case, which does not come within the scope of the present collection, two families agreed to perpetuate the connexion, covenanting that the eldest son of the one should always be fostered by the other. We do not know the result, nor how long it was before that contract, like other schemes for unseen generations, fell to the ground.

In another instance I have lighted on a bundle of correspondence, a few letters of which will serve better than formal contracts to show the feelings of two families of the same lineage drawing closer the bonds of kindred by the still more tender relation of fosterage. The parties, too, are of more than common interest. The father and the child were the Marquis and Earl of Argyll, each subsequently honoured by a death on the scaffold. The person selected as foster-father was the

<sup>1</sup> The Welsh law went farther, and gave the foster-child his share of the land.—“ If an uchelwr (*high man*) place his son with an aillt (*villey*) to be nursed, . . . that foster-son shall pos-

sess the land of the aillt after his decease, unless he have children ; and if there be children, he is to have the share of a brother.”—*Ancient Laws and Institutes of Wales*, II. 10, translation.

accomplished Sir Colin Campbell of Glenurchy. Even more important in such a relation, the foster-mother was Juliane Campbell, daughter of Hew Lord Loudon ; but of her we know only what we learn from this correspondence, and her picture at Taymouth, giving the impression of sense and good nature.<sup>1</sup> The correspondence begins in 1633 :—

FROM SIR COLIN CAMPBELL of Glenurchy to ARCHIBALD LORD LORNE.

MY NOBLE LORD AND CHEIFF,—I receauit your lordships letter from Archibald Campbell, schawing me that syndrie of your lordships freindis wer most desyrous to have your lordships eldest sone in fostering, yet for diuerss respectis your lordship wes better pleasit to have him brought vp with me, quich I acknowledge is a great testimonie both of your lordships trust and love, and I hop in God evir so to approve myself to be most willing and desyrous to deserue both. And in regard that your lordship and it may be your lordships lady have occasioun to be ane great part of this sommer in the Lawlandis, gif it may stand with your lordships pleasour, I desyre that your lordships sone may come heir to me about the 17 or 18 of Maii nixt, quhair, God willing, he sall have all the cairfull attendance that may ly in my powar to give him. And in regaird that I am not weill able to travell myself so far a iourney, I intend to send my wyfe and some vther of my friendis to be his convoy, quhairwith I thought guid to acquaint your lordship, hoping that agane that tyme your lordship will provyde some discret woman and ane sufficient man quha hes bothe Irisch and Englisch and will have a care not onlie to attend him, but sometymes lykewayes to learne him and quhat else may concern him quhill he is in my company. God willing, my wyfe and I sall have a speciall care thairof. As for the rest of the particularis contenit in your lordships letter, I sall ansuer thame at my wyfes coming to your lordship or vtherwayes at my meiting with your lordship the aucht of Junii as your lordship hes desyrit, at Stirling, to quhich time with the remem-

<sup>1</sup> It, as well as Sir Colin's portrait, is are engraved by Pinkerton in his Scottish Gallery. Both

brans of my humell seruice to your lordships nobill lady, and evir I remane your lordships assurit frend and kinsman to my powar to serue,

[COLIN CAMPBELL of Glenurquhay.]

LORD LORNE to GLENURCHY.

For my loving cousing the Lard of Gleanorquhay.

LOVING CUSIN,—Man propouns bot God dispons. I intended to heave gone presentlie to Inuerraray, bot I had ane letter within thir two or three days from the Thesaurar Traquair, desyring me to be in Edinburgh so soon as I could, quhiche hes altered my resolution that my familie cannot stur till it pleas God I returne. I will assoor you your foster longs very much to see you and doethe not dar to tell he had rather be thair nor her, and I assoor you he shall heave his choice, bot as you may see be this letter of his grandfathers the Erle of Morton that he intends to be in Scotland so shortlie, his mother desyrs if it pleas God to heave hir childring togither till that tym, to draw her father her; and if wec hear any contrair advertisment of his dyet you shall immediatelie heave him (as Archie calles it) home. So remembering my service to your lady, I rest your loving cusin,

LORNE.

Rosneithe last May.

ARCHIBALD CAMPBELL of Lorne to GLENURCHY.

To my lowing foster-father and respected freind the Lard of Glenvrquhey, thes.

LOVING FREIND,—Loving foster-father, I thought good to wryt thir few lynes to yow to shaw yow that I am in good health and am vearie sorie that ye wryt not for me, and I long weri much to sic yow; and as ye wold wis me to be weil and to come to yow, send to me in all the heast and diligence ye can, Duncan Archibald and tuey horse with him, on to M<sup>r</sup> Johen and on for my cariage; and prays and requests yow to send them in all the heast ye can, and I wil looke for them that they may be heir a Fryday or at the fardest at Setterday at night; and take it not in anay vncounes that I send not back the ansuere of the letter that I got in Edinbruch. I could not stay because I was in heast; and bring my commendations to your shelf and

to yowr wyf, and houpes that I wil scie yow my shelf shortlie, if ye doe yowr deutie, not duting but ye wil doe the same, comiting yow to Gods protection for euer. So I rest, yours at power,

ARCHIBALD LORD OF LORNE.

Wryten at Inderaray,  
the thretie day of September.

From the LADY LORNE to GLENURCHY.

To my much respectit and guid freind the Laird of Glenurquhy.

LUEFEIN FREIND,—I haife sent this bearar to know how yea and my sone are in healthe, and to shaw you that all freindis heare are weall. I heair my sone begines to wearye of the Irishe langwadge. I intreatt yow to cause holde hime to the speakeing of itt, for since he hes bestowed so long tyme and paines in the getting of itt, I sould be sory he lost it now with leasines in not speaking of it; bott this I know, yea wilbe more cairfull as in ewerything that concernes him, so that I will fully leaffe him to your awin caire; only prayeing the Lord to giffe ane blessing to all the meanes of his educatioun: And so I shall still remain your most assurett friend,

MARGARET DOUGLAS.<sup>1</sup>

Rosnethe, the 14 of December 1637.

GLENURCHY to LORNE.

MOST HONOREDE,—I have desyrit my brother Roberte to senau your lordship in quhat manere Maister Jhone Makleine misbehauis himself. I am sorie that I haue caus to do it, bot the respect I carie to my lorde and to your lordship, and the loue I haue to your lordships sone, makis to do so. Quhen your lordship plaisses your lordship may lede my lorde knau it, and I thinke it may be best remediete be provydinge in deu tyme on to supplie Maister Jhone his place, and your Lordship knauis it is requisit he be ane discrete man that is ane scollar, and that can speike both Inglis and Erise, quharof I think thair may be had in Argyll. Your lordship may do heirine as my lorde and your lordship thinks expediente. Your lordships sone is veill and in guide healthe, praisit be God. The Lord continou the

<sup>1</sup> Margaret Lady Lorne, afterwards Countess and Marchioness of Argyll, was daughter of William Earl of Morton, Lord Treasurer of Scotland.

same. So viassing your lordship all prosperitie, I remain your lordships assurite and affectionat friende to serue you,

GLENURCHAY.

Balloch, the [1638.]

#### ARGYLL to GLENURCHY.

For my loving Cusin the Laird of Glenwrquhy.

LOVING CUSIN,—Since it hath pleased God to call my father to his eternall rest, I doubt not bot you kno als weall as I can desyr you what is fitting for your self to doe. Onli in this I desyr you to suffer your foster with you te wear murning. And so ever make use of me as your most affectionat cusin to my power,

ARGYLL.

Rosneithe, 4 September [1638.]

#### THE COUNTESS OF ARGYLE to GLENURCHY.

To my loveing freind the Laird of Glenvrquhy.

LOVING FREIND,—Accordeing to this othre lettre of my lordis, I will earnestlie desyre you to send heire my sonne, and to have him at your house in Glenvrquhy on Frayday at night the tuentic ane day of this instant preceislie, and I shall appoynt folkes to meitt him thair on Satterday in the morneing, for bringing him alonges heir. I hoipe ye wilbe cairfull to send sufficient company with him, and to cause prowyd some secure place be the way, quhar he may be that night he comes from you. So referring all to your cair, exspecteing assuredlie that ye will send him the tyme fairsaid, I rest your loveing freind,

MARGARET DOUGLAS.

Inverrarey, 14 Junii 1639.<sup>1</sup>

<sup>1</sup> In the careful fashion of that age, an account was kept of the boy's expenses, from which I cannot resist giving a few extracts.

COMPT of MONEYIS debursit for clothes and utheris necessaris to my Lord of Lorne's sone, beginnand the 20 of September 1633:—

Imprimis the xxvi of September to

be ane coat to him iii ell and a half bread skarlet freise at v lib the ell,

xvii lib x s.

Item iii quarter reid French steinyng at vii lib the ell, . . . v lib v s.

Item ii ell Cambridg at lviii s the ell for rufes, . . . v lib xvi s.

Item ii ell of perling at 30 s the uther 33 s iiiii d, . . . iii lib iii s iiiii d.

Among these papers there are none indicating that the native tribes, in making their submission, took the name of the dominant family, either individually or by whole clans—a practice that greatly swelled the ranks of some names not more numerous nor more widely spread than the Campbells. Here, on the contrary, we

Item vi dusson reid silk buttons and  
iii quarteris of Poldavie, . . . xxxiii s.  
Item vi ell of verie fyne stuff to be  
ane wylie coat to him at xxvi s 8 d the  
ell, . . . . . viii lib.

Given to Johne Drummond taliour  
for making the clothes abone written,  
vi lib.

Given for ane pair schone to him the  
x of December 1633, . . . . . xii s.

1634.—Item for thrie unce siluer plaitt  
lace v lib xiii s iiiii d the unce, xvii lib.

Item iiiii dusson of siluer buttons and  
ix quarters siluer loupings,  
iiiiii lib iii s iiiii d.

Item for half ell grein sattin to be  
him ane mutch, . . . . . v lib.

Item for sevin drop of siluer waltins  
to put on the said mutch at v lib 6 s  
8 d the unce is, . . . . . xlvii s 8 d.

Gevin the 6 of Julij for linnyng to be  
four sarkis to him, . . . . . viii lib.

Item for tua ell of Cambridge the  
said day to be bands ruffs and mutches  
to him at iiiii lib the ell, . . . . . vii lib.

Item ane ell of fyne reid skarlett  
steinyng to be him shankis, v lib vi s 8 d.

Mair ii unce xiii drop of gold gallous  
at vi lib xiii s iiiii d unce is,  
xviii lib xv s.

Given for ane psalme buik and new  
testament for him, . . . . . iiiii lib.

Item given to Mr. Johnne McLen  
pedagoge to my Lord Lorne's sone in  
September 1633 ane hewit plaid, pryce  
xii lib.

Mair geven him the first of December  
1633 vi ell of mantling at xl s the ell,  
*inde*, . . . . . xii lib.

Mair geven him the first of Januarii  
1634 being new yeir day, . . . . . xii lib.

Mair geven the last of November 1634  
him for his Whitsunday and Martimes  
termes fe 1634, . . . . . i<sup>ix</sup>xxx lib 6 s 8 d.

Given to Margaret Neill the woman  
that waitit on my Lord Lorne's sone in  
August 1633 ane plaid, pryce . . . . . xii lib.

Mair given hir the first of Januarii  
1634 being new yeir day, viii lib xiiii s.

1635.—Given for four ell of grey cloth  
the 15 of Januarii 1635 to be ane stand  
of clothes to Duncane Campbell page to  
my Lord Lorne's sone at xx s the ell,  
iiiiii lib.

Item given the first of Maij 1635 for  
vii ells of fyne grein Jenua Sattin at x  
the ell, . . . . . lxx lib.

Item the vi of Maij 1635 vi ells of reid  
barrikin to be him ane ryding coat at  
liii s iiiii d the ell, *inde*, . . . . . xvi lib.

For tua pair of green worsett stokings  
to him at xiiii s the pair, . . . . . xxviii s.

Item for tua combs and ane caise, xvi s.

Item for tua pair of gloves to the  
bairne, . . . . . xiiiiii s.

Item vi ells of Beircorie to be him  
vaistcotis xxvi s viii d the ell, *inde*,  
viii lib.

Item half ane ell of Cramosie velvett  
to be him ane bannet mutch, . . . . . ix lib.

Spent on my Lord of Lorne's sone and  
his company that wes sent with him to  
Perth quhen my lady his mother sent  
for him betwix xix and last of Maij  
1635, . . . . . liiiii lib.

Given to the bairne quhen he went to  
Stirling the three of Julij to see his  
guidsire, . . . . . iiiii lib.

Spent be the bairne my Lord of Lorne's  
sone the said tyme going to Stirling to  
see his guidsire and coming back again,  
xl lib xiiii s.

find families and small tribes choosing Glenurchy for their chief; sometimes renouncing their natural head, and selecting him as leader and protector, yet retaining their own patronymical designations. These new subjects bound themselves not only to pay the allegiance of clansmen, but to give the "caulp of Kenkynie,"<sup>1</sup>—the

1636.—Given to my Lord Lorne's sone the 28 of March quhen he went to Rosneth, ane gold ring set with ane Turkiss stene, pryce . . . . . xx lib.

Spent by my Lord's sone and his company quhen he went to Rosneth the said tyme, . . . . . iii<sup>xx</sup> lib.

Item the 18 of Junii to be coat and brekis to him x quarteris of fyne skarlett xviii lib the ell, . . . . . xlv lib.

Item ane pair of silk stokings, xvi lib.

Item ane black French bever-hat, . . . . . lxxiii lib 6 s 8 d.

And ii dusson orange ribband points, . . . . . v lib xii s.

1st Jan. 1637.—To the bairne himself the said day ane Spanisch pistolet, . . . . . iii lib 6 s 8 d.

For iii ell of reid barrikyn to be him ane toupat iii lib the ell, *inde*, . . . . . xii lib.

Given to Doctor Kincaid the 3 of Maij 1637 quhen he came heir to visite my Lord of Lorne's sone being seik, . . . . . iii<sup>xx</sup> lib.

And to his man, . . . . . viii lib.

And his expensis in coming and going to Elinburgh, . . . . . xl lib.

For ane brusche for my Lord of Lorne's sone to brusche his head with, . . . . . x s.

And for ane belt to him, . . . . . x s.

Given to my Lord of Lorne's sone to play him with quhen he went to Elinburgh to sie his father, . . . . . x lib.

For ane Inglisch hyble to him, . . . . . x lib.

1638.—For the practise of pietie being double overgilt, . . . . . iii lib.

Given to the bairne quhen he went to sie his mother the said tyme, to play him withall, ane angell of gold, . . . . . vi lib xiii s 4 d.

And of siluer, . . . . . iii lib.

For half ane ell of fyne skarlett cloth to be ane ryding cap to him, . . . . . viii lib.

For ii quarter of Cramosie pand velvott to lyne the same, . . . . . xii lib.

For ane unce and xiii drop of siluer lace for the said cap, . . . . . ix lib xiii s iii d.

Mair, spent be my Lord of Lorne's sone and his company going out of Balloch to Rosneth being thrie or four dayes be the way, . . . . . lxi lib xiii s.

And for a pair of spurs, . . . . . xii s.

For iii ell of reid skarlett freise to be him ane jerkin to wair under his clothes at three lib the ell, . . . . . ix lib.

Given the last of Novembere 1638 for ane stand of duilleid to him (furnisch-ing and all being complet), when the Erle of Argyle his guidysre deyit, . . . . . i<sup>xxx</sup> lib 6 s 8 d.

Given for gloves to him the said tyme, . . . . . xx s.

Given to himself the first Januarii 1639 being new yeir day, xiii lib 6 s 8 d.

To his page, . . . . . xxx s.

Mair, for his expensis going to Perth to visite his father the Erle of Argyle the 14 Marche being thrie nychtis thair, . . . . . xxxviii lib 6 s 8 d.

Mair given himself the said tyme to play with, . . . . . x lib.

To my Lord Lorne the 20 of Junii quhen he went out of Balloch to Inuere-ray to visite his mother, xiii lib 6 s 8 d.

Given for schoone and bootis to my Lord of Lorne, to Duncane Campbell cortliner in Edinburgh betwix the 6 of August 1638 and 7 of Februar 1639, . . . . . x lib ix s.

<sup>1</sup> *Caulp* is the best "aught" due to the chief, or rather *melius averium de*

Celtic equivalent for the Heriot of feudal customs ; to visit the chief's house with "sufficient presents twice in the year ;" to serve in "hosting and hunting ;" and to be ready at all times "to ride and go" in their lord's affairs.

The Early Rentals and Estate Books of Breadalbane, present the characteristic marks of the country. Much of the rent is paid in oat-meal and malt, the staples for food and drink. The tenants had little capital. The stock on the farms was "steelbow," the property of the landlord, only the produce belonging to the tenant. The bow-house (cattle-house) was rated at so much "kain" or produce, in butter and cheese, in proportion to the cattle on that pasture. The money which seems to have been appropriated as part of the requisite stock for cultivating the bow-house farm, is called by an unexplained name of "strenth-silver."<sup>1</sup> We are led to think what became of those cattle during the long winter of the Midland Highlands ; but no information is afforded. Hay is not once named, and the natural produce of the glens can have been saved only in trifling quantities from the deer.<sup>2</sup> Sheep were evidently in small numbers, and the "clip of wool" insignificant, compared with modern produce, probably from the want of winter food,

*conquestu.* "Kenkynie" is chief or head of kindred :—

"Syne lief I the best aught I bocht  
*Quod est Latinum propter Caupe*  
To hede of kyn."—DUNBAR.

<sup>1</sup> Perhaps it has some analogy to the remarkable terms which designate this practice everywhere—*ferreum pecus*—

*stähline viche*—steelbow—all indicating permanency.

<sup>2</sup> The old Register of the Bishopric of Moray has noted on a fly leaf—"Apud Spynie 4 Julij 1580.—Not. that hay was wyn." And no doubt the coarse produce of the bottom of the glen has been saved for winter use since ever man made property of animals.



as well as from the deer occupying the outlying pastures, insecure, at any rate, for any valuable stock.<sup>1</sup> These books show the attention to the rearing of horses that has been already noticed.

The Household Books show the usual provisions for the table. Oat-meal and malt furnished the ordinary bread and the chief drink of the castle, where ale was distinguished as ostler ale, household ale, and best ale. There was beef and mutton, fresh in summer, and for the rest of the year "marts," killed and salted when fat on the pasture; a small quantity of bacon; salmon of Loch Tay, and Glenurchy salmon. Loch Fyne herring was already appreciated,<sup>2</sup> and when other fish got scarce there was the "hard fish" or stock fish, which still forms

<sup>1</sup> Many entries will enable the present occupants of those sheep pastures to compare the quantity of stock they maintained of old with the present, and also the produce. For instance, the clip of the brae of Balloch and Drumturk, in 1603, was eight score six fleeces, and they weighed but six stones.

<sup>2</sup> In the year 1590, the family spent their time between Balloch and Finlary. The oat-meal consumed, deducting a quantity used as "horse-corn," part of which here, as in England, was baked into loaves, was about 364 bolls. The malt, 207 bolls (deducting a small quantity of "struck" barley, used in the kitchen). They used 90 beeves ("marts," "stirks," or "fed oxen"), more than two-thirds consumed fresh; 20 swine; 200 sheep; 424 salmon, far the greater portion being from the western rivers; 15,000 herrings; 30 dozen of "hard fish;" 1805 "heads" of cheese, new and old, weighing 325 stone; 49 stone of butter; 26 dozen loaves of wheaten bread; of wheat flour 3½ bolls. The wine brought from Dundee was claret

and white wine, old and new, in no very large quantities, though it might be difficult to fix the exact contents of the "barrekins" and "rubbouris." One kind, called "vlet" wine, may mean that brought home in flasks with oil at top, instead of corks. One barrel of English beer might be introduced to stimulate the native brewers to exertion by its rivalry. Of "spices and sweet meats," we find only notice on one occasion, of small quantities of saffron, mace, ginger, pepper, "raisins of cure," plumdamas, and *one* sugar loaf. No deer or game are entered this year; nor any poultry, probably from some omission in the system of accounting, which was then only beginning. In some subsequent extracts, made on account of their detailing the provisions for two marriages in the family (1621-26), these omissions are supplied. The marriage of Elizabeth Campbell with the young laird of Drum, was on 4th December 1621. There was a considerable gathering of Dee-side gentry and Campbells, as well as "comers and goers." Besides the staple com-

an article of Scotch economy even in Protestant families. Cheese, counted either by weight or in "heads," was plentifully supplied by the "bow-men."

These books have a great additional interest from mentioning the guests visiting the family, and occasionally domestic occasions of more sumptuous house-keeping.<sup>1</sup>

The *Inventories of Plenissing*, beginning at 1598, are valuable for the history of Scotch manners and civilisation. Every article is tempting, and if there were room, we could be well pleased to attend "the Lady" with her aide-de-camp, "Magie Peter," in their review of the contents of "the great kist in the gallery Wardrobe," and

modities, we find on this occasion entered, twenty capons, forty poultry, thirty geese, twelve wild-geese, twelve "meiss" of brawn, six "furches" (both *haunches*!) of red venison, eight roes, seven dozen of wild-fowl, partridge, and black game, three "hirsell fowls" (*turkeys*!), of rabbits only eight; and we find now a greater variety of sea fish and red herrings, and reisted (*smoked*!) hams, and mutton "louings" and salmon. At the wedding of "Jeiliane Campbell" with the Laird of Buckie, which took place on 18th June 1626, we find notice of trouts, wild-geese (not easily to be had at that season), three whole red deer and ten furches (I fear not in very good condition), and seventeen roes; of claret, white wine, and "Spanish wine," aquavite, vinegar, etc.; for spiceries, pepper and ginger, sugar, cloves, cannel (*cinnamon*), saffron.

<sup>1</sup> Thus, at Finlarg, "beginnand the 28 of Junii 1590, and spendit till the 5 of Julii; the Laird and Ladie present, my Lord Bothwall, the Erle Monteth,

my Lord Inchechaffray, with sindrie vther strangers." . . .

"Ballach the 18 of September, quhillk day the Laird and Ladie come to hald house in Balloch, and spendit to the 27th of the same, 1590. The Laird and Ladie present, the Laird of Tullibardin, the Laird of Abircarnie, the Bischop of Dunkelden, the Tutour of Duncroub, the Laird of Inchbraikie, the Priour of Charterhous, with sindrie uther comers and gangers." . . .

"Balloch, the 2 day of December 1621 to Sonday the 9 of December 1621, the Lairds of Drum elder and younger, the Laird of Glenbervie, the Laird of Banff, the Laird of Pitfoddellis, the Laird of Lathes, the Laird of Inche-marten, the Laird of Glenlyoun, the Laird of Keillour, Robert Campbell of Glenfalloch, the Lady Weyme, the Lady Comrie, the Lady Edunampbell, the Lady Glenlyoun, with thair heall company and boyis, being all present, the space of three nichtis, at the mareage of the Lairdis secund dochtir upon Robert Irwing of Feddrat, secund son to the Laird of Drum.

“the Lady’s kist standing in her own garderobe.” One entry in the “household garderobe” of four wolf skins, might oblige us to turn aside, if there were not to be other opportunities of noticing the last of the great beasts of prey in Britain. But we must pass by the caddois and coverings, the plaids and curtains, the sheets, board cloths, seruiettes, and towels;<sup>1</sup> the carpets then not used for the floor, but for table-covers, gorgeous cushions, counter-cloths, stools, the table furniture, and the array of kitchen implements required for the hospitality of Balloch.

Neither must I dwell upon the arms and accoutrements which the porter had in charge. The artillery was not formidable, though, probably, more than required in Highland warfare. The hand guns, muskets, hagbuts of snap-work, of rowet work, or of lunt<sup>2</sup> work (match-locks), prove the value in which they were held, by the minuteness of the descriptions of their ornaments, whether stocked with Brissel (Brazil wood), or inlaid with bone or with pearl, or gilt pieces with the laird’s arms. There is the usual array of arms, from the primitive hand-bow and its “bag of arrows,” to horseman’s harness with steel bonnets, plate gloves, corsletts, murrions of proof, steel targes, and two-handed swords. None of the names of arms seem to require explanation. There are Jedburgh staffs, and Lochaber axes, but there is nothing of “the ancient Highland broadsword.” Andrea Ferrara’s name

<sup>1</sup> Let me notice in passing, that the ultimate fate of those linens was not, as now, the paper-maker’s. When “broken,” they fell to “the Nurcis,” or went to make wicks, either for candles of

home manufacture, or lamps. There is no mention in these books of the purchase either of oil or candles.

<sup>2</sup> Lunt-work or match-work, a common English as well as a Scotch word.

is not found. A "running spear" seems to be a tilting spear, as a "wasp spear" undoubtedly was no weapon of mortal war, but a salmon spear or "leister." Among the porter's gear at Finlarg, after a dire enumeration of prison furniture, great iron fetters, and long chains with their shackles, we find one name that suggests even more odious associations. The four "Glaslawis chargeit with four schaikhills," seem to have been instruments of torture.<sup>1</sup> The "heading axe," which occurs more than once, and which seemed at one time to be the natural fate of the whole race of M'Gregor, now stands harmless in the Hall at Taymouth.

The most curious, as well as the most careful and formal of these inventories, is the one made up in 1640, when Sir Colin and his sons, a few months before his death, agreed to set aside certain articles as heirlooms. The jewels—the target of enamelled gold, set with three diamonds, four topazes or jacinths, a ruby and a sapphire—the gift of King James v. ; the round jewel of gold, set with twenty-nine diamonds and four great rubies, and the diamond ring, both given to the gallant Sir Duncan by Queen Anne of Denmark ; even the fair silver brooch, set with precious stones, are, I fear, all gone. It is something if the talisman of the Knight of Rhodes is preserved. The plate is very sumptuous for the time. There were not many houses in Scotland in 1640 which could set on the table twelve plates, twelve

<sup>1</sup> The indictment of Patrick, Earl of Orkney (1606), sets forth, among other contempts of the Royal authority, that he imprisoned a king's messenger—ac

*novo et inusitata crudelitatis tormento a se invento vulgo lie CASCHELAWES sevisime et proditorie subjecit.*—*Act. Parl. Scot.* iv. 396.

trenchers, and twelve "sasers" of silver. But the chief array for the "buffet" was in great "chargers," "basons," "lawers," and all manners and sizes of goblets and cups of silver, plain and gilt or parcel gilt.<sup>1</sup> The arms set apart are field-pieces of copper and iron, and a few muskets and pistols ; a pair of two-handed swords (one with its hilt overlayed with velvet, evidently a sword of state for processions) ; three targets, two of steel and one of cork ; and a quantity of body armour, all of plate. The furniture consisted of many gorgeous beds of silk and velvet, embroidered or plain, Arras and common hangings, velvet cushions for the kirk, and cushions of Turkey work, damask board-cloths, Dornik serviettes, and others of plainer sort. Carpets for the table, dishes of pewter, a "great acavitæ pot" (a *still*), kitchen furniture, twenty-four pictures of kings and queens, and thirty-four of lairds and ladies of Glenurquhay and other noblemen ; the great "Genealogy board" (painted by Jameson) ; with clocks, organs in the chapel of Finlarg, and a harpsicord at Balloch. The deed also entailed two charter-chests, with iron bands (not their contents !) ; "Captain Gordon's sword," which no doubt had its history ; and a considerable quantity of cattle and sheep.

The acts and proceedings of the Baron Courts, collected in 1621, will be found to present a fair view of the rural economy of the district. There are regulations for muirburn, summer pasture, peat-cutting, mills, smithies, and ale-houses ; laws against poaching on moor and river : a rule that smacks of superstition, against

<sup>1</sup> The "little lang-shanked cups for aquavitæ" point to a different fashion from that of later times, when the "quaich" had no *shank*.

cutting briars "but in the waxing of the moon." Swine are proscribed; no quarter is given to rooks, hooded crows, and magpies. The Laird shows his determination to have trees about his tenants' houses by numerous regulations; and tenants are bound, under high penalties, to give their cottars the comforts of fuel and kail-yards, "with corns conform." Agriculture is stimulated by rules for sowing "uncouth" oats, or seed better than the common black oat of the Highlands; for collecting of "middens;" even for irrigating—"drawing water through the land"—long before the grand discovery of draining had been made. To avoid the devastation of Highland "speats," the greensward on the banks of rivers and burns is not to be broken. To save a different devastation, every tenant was obliged to make yearly four "croscats of iron" (probably some sort of dog-spear) for slaying of the wolf. That great enemy of the shepherd was not finally extirpated till the end of the century.

In the records of the Baron Court of Balloch, the legal antiquary will find relics of some antique law, which had disappeared long ago in Lowland courts. Donald Taillour, in Morinch, having fallen in suspicion of stealing ten double angels and forty marks of silver, the Assize ordained him to cleanse himself thereof by the oaths of six persons out of twelve whom they would choose, or four persons of eight; and he accordingly cleansed himself by his compurgators, as the ancient law demanded, and went free.<sup>1</sup> In a court held at Killin, it

<sup>1</sup> Acquitting or "cleansing" by *compurgators* was the ancient law of all the northern nations; witnesses, compara-

tively a modern convenience.—*Act. Parl. Scot. l. passim.*

was ordered that no "blocker" or dealer buy cattle from strangers, nor even from the neighbours dwelling between the ford of Lyon and Tyndrum, without sufficient "caution of burgh and hamer." This is the "borch of hamehald" required by the statute of William the Lion, and recognised in several of our older laws.<sup>1</sup>

There are some symptoms of starvation in Breadalbanc, when Patrick M'Woyllen and the Widow M'Ewin are convicted of bleeding the laird's cattle, and John M'Inteir for letting M'Keissik's bairns die for hunger.

The gear did not prosper with Donald Taillour in Morinch (the same who was suspected for the double angels), and he accused his neighbour N'Vane of bewitching him. She brought a pock of earth from Tomnayngell (the name sounds of spirits) to his house ; since which, "his gear has not 'luckit' with him, and his corns grow not." The judge, with sense beyond the age, acquitted the woman at this time, but forbade the use of the pock of earth, "seeing it inclines to no good, but to an evil custom."

There are many regulations and proceedings showing the creeping in of that habit which has become our national reproach. Even so early as these entries, whisky, as well as ale, was too freely used ; and, among other attempts to abate the nuisance, a curious law inflicts a penalty and disgraceful punishment for wives

<sup>1</sup> I have seen the following note by Lord Auchinleck on his copy of Skene, *de verb. sig. voce BORCH*—"It is common in the Highlands to exact caution when

one buys cattle from a person he does not know, and they call it *borch hamel*, which is just borch hamehald."

drinking in "brewsters" houses without the company of their husbands.

It has been doubted how old the practice of rod-fishing is. On 6th December 1632, his father becomes caution for Duncan Campbell in Creitgarrow, that he shall not burn a blaze, shoot a waspe, nor put out a wand on the water of Tay.<sup>1</sup>

Of the Muster Rolls preserved at Taymouth, it may be sufficient to observe that they have all apparently been made to satisfy some requisition, and seem intended to convey no more information than was absolutely required.

The articles concluded by the barons and gentlemen of Argyll in 1638, on the eve of the great struggle, show a forethought, a unity of purpose, and a determination to risk all for the cause, very unusual among our countrymen.<sup>2</sup>

The "blazing" the water, or killing salmon when drawn by the light of fires within sight and reach, is still too well known in the upper Highlands. A "waspe" spear is the same as the "leister" of the border Highlands. The wand or rod-fishing was, I hope, "put out" with fly.

<sup>1</sup> 1, 2. Musterings and weaponschaws are ordered, and every bailie, baron, and heretor to muster all their men, and make lists of their number, names, and arms, and, where wanted, arms are to be supplied. The lists to be sent to Inverary.

3. Provision to be made of guns, bows, swords, targes; and six or seven hundred pikes are to be distributed among the gentlemen of the shire.

4. "Fledgers" for making arrows, and smiths for making arrow-heads, to be entered everywhere.

5. Galleys, birlings, and boats, to be made ready with all possible haste.

6. Commissioners to Edinburgh.

7. Men to watch the harbours of Kintyre on the one hand, and the braes of the country marching with Dumbartane, Perth, and Inverness on the other, against broken men and idle people.

8. Three "experimentit souldiers" to be brought from Edinburgh, to remain, one in Argyll, one in Lorne, the third in Cowal, for drilling and training of the gentlemen and others in all points of militarie discipline.

9. A contribution to meet the expense, to be raised presentlie, 6s. 8d. of each merk land within the shire—Auchinbreck, Arlkinglass, and Loch-nell, the collectors.

10. For giving advertisement "incase ony invasion come," particular places are designed for setting out of fire at all



Out of some huge volumes in which the **Lairds** of **Glenurchy** registered the charters and leases granted to their vassals and tenants, a few are useful for illustrating incidental points of character or custom. The first is a lease granted for keeping the Castle of **Kilchurn**, and shows the arrangement of its seneschal and his small garrison. Before that time (1550) it had ceased to be the chief or even the usual dwelling of the family. The second, a feu-charter, brings us acquainted with a race of hereditary "jongleurs," "rhymers," or "bards," holding their land by service in their craft.<sup>1</sup> Two leases here given are the only transactions I have met with among these papers, touching the management and produce of the deer forest. The fifth charter was chosen from its giving a Churchman's view of the police of the country,—*Hibernica et rapinosa regio ubi incolæ vix terras laborare aut habitare ausint propter frequentes furum et latronum incursiones qui in speluncis illic latitant*. A lease of **Ilan Puttychan** gives liberty to set six small nets in the loch, but without slaying salmon or red fish; and **Donald M'Kerres** has a lease of a half-merk land of **Port Loch Tay**, with steelbow and

the sea coasts: two in **Argyll**, two in **Lorne**, two in **Cowal**.

11. A committee of ten (or any four of them) of **Campbells**, **M'Leans**, **Lamont**, **M'Dougal**, to meet at **Inverary**, to consult of all further matters for defence.

<sup>1</sup> Some one more versed in Highland genealogies may tell us whether the **Ewen** who received this charter, was the origin of the **M'Ewens** who were hereditary **Seanachies**. The current popular history of the **Campbells** professes to be

founded upon "the genealogical tree done by **Niel M'Ewen**, as he received the same from **Eachern**, and **Artt M'Ewens**, his father and grandfather as they had the same from their predecessors, who for many years were employed to make up and keep such records." The "**Arnoldus filius Eugenii**" of this charter, may be "**Artt M'Ewen**" Latinized, and it is not improbable that the hitherto varying patronymic should be fixed with reference to the first of the race who obtained a feudal title to his land.

“bouage” according to custom, and a right to set three small nets upon the loch. Hew Hay and Cristiane Stennes served the ferry coble of the Cagell, and undertook to keep an honest hostelry at the coble croft, with sufficient ale and bread and other furnishing at all times in readiness to serve the country, with greater provision for courts, conventions, or strangers. The Laird undertook to build them a hall and lofted chamber, with chimneys, doors and windows water tight, meet and convenient for such hospitality ; and also to put down rival hostellers and brewsters between Stroncombrie and the wood of Letterellane on the north side of the loch, and between Cronaltane and Ardrananycht in Ardtollonycht on the south ; and promised certain impracticable privileges of pre-emption of victuals. The eighth deed is a specimen of an obligation of a tenant, instead of rent to enter into deadly feud with the Clan Gregor, and to make slaughter upon them privily and openly. The reddendo of the tenth charter is curious ; besides £10 Scots and forty bolls of oat-meal, the vassal was to pay a gallon of sufficient aquavitæ (the manufacture of his own still, without doubt), also *optimam chlamidem coloratam*, which is translated, “ane fyne hewed brakane,” and a sufficient “Cuddeich,” which, I believe, means a present given in token of vassalage.

Three leases are granted to craftsmen—the builder of the Laird’s park dikes ; the smith of the castle, who took his name from his calling—Patrick Gow ; and, thirdly, to Andro Kippen, the gardener of Balloch, whose contract to entertain the garden and its knots, borders, and

alleys, orchard and kailyard, and to rear all sorts of flowers, herbs and strawberries, as well as plums, cherries, geans, apples, and pears,—presents to the imagination a curious contrast with the present appearance of the lawn on which the castle stands, the very site where Kippen must have “led his fulyie,” and collected his “middens” before the peat-house door.

Some of the deeds show the care of the stud of brood mares in Glenloch, which, like the other pasture farms, is here managed on steelbow ; and in one, a tenant on Loch Fyne pays a part of his rent in herrings, and furnishes the Earl's family with white fish and shell-fish during their residence at Castle Kilchurn.

Black John Crerare, a name long after associated with Highland sport,<sup>1</sup> has a lease in 1663 of the merk land of Pitmakie and the sheeling of Corriegoir ; his service being to be fowler to the Laird, and to go to the hills with a sufficient lying dog and fowling-nets, and kill wild-fowl and moor-fowl of all kinds, and to train up a fowling dog for the use of the Laird.

The charter room at Taymouth is full of letters of correspondence of the most interesting periods of our history. For my present purpose I pass by all, save a few illustrating subjects of domestic and local interest.

A long letter of Lord Breadalbane to his cousin Balcaldine in 1706, preserves the tradition of a characteristic story of King James VI. :—“It is reported of King James VI., when he did see the Earl of Argyll coming into the Abbey close, after Glenlivatt (the battle of Benrinnies,

<sup>1</sup> See Scrope's *Deer-Stalking*.

1594), but with a very small train, he asked, although he knew, who it was, and being told that it was the Earl of Argyll, his answer was,—“Fair fall thee, Geordie (Huntly), for sending him home like a subject !”

There is a characteristic exhortation and encouragement by the Laird to the keeper of his Castle of Glenurchy, who had lost his geir by his service.<sup>1</sup> There are two letters concerning supplies of venison and game to the Court, the first on occasion of the christening of Prince Henry, the second when Charles I. was about to visit Scotland in 1633. One letter speaks of terriers and fox-hunting as affording sport in Scotland in 1631. Another gives a notice of capercailzie in 1651, which soon after disappeared from Scotland, until restored in the present generation to the woods of Breadalbane. Several letters have reference to the famous white hind of Corrichiba, which King James VI. greatly desired to secure, and sent his foresters to attempt it. Mr. Bowie only informs us that “the said Englishmen saw the hind in Corrichiba on 22 February 1622.” The correspondence shows that they failed in their enterprise, and also that they spoke highly of the hospitality of the country. It is not from themselves we learn that the Highland drink was too potent for the Southron !

Before leaving the subject of game and deer, I may mention an early notice of the venison of Breadalbane. The account of the Lord High Treasurer of Scotland for August 1506, has the following entry :—

“Item, payit to the Comptrollair for iiij barrellis to

<sup>1</sup> For these papers at Taymouth, see Appendix.

Sir Duncane Campbell to salt venisone in, to send in  
Spanyee, . . . . . ix s.

“Item, for carying of the samyn to Lochtay, viij s.”

It is plain that the Catholic King had heard of Breadalbane venison, and, despairing to taste it as it should be eaten, was content to have it salted !

The correspondence about fir seed sent to Lord Lauderdale and the Marchioness of Hamilton (1637), shows an early attention to planting of that kind. The letter of the Marchioness, and others of her ladyship at Taymouth, are characteristic memorials of that remarkable woman, and serve well to illustrate Jameson's curious picture of her.

Master William Bowie, the inditer of the Black Book, figures in one of these letters as the instructor of John and Duncan, the sons of Robert Campbell, afterwards Sir Robert of Glenurchy.<sup>1</sup>

Among the charters of lands were found some docu-

<sup>1</sup> Some extracts from Master Bowie's account may be allowed : —  
Jhone Campbell his compt since the first of November 1618.

Imprimis, for ane “first part” and “colloquie” to him, . . . . . xj s.

Item for ane pok to his buikis, . . . . . iiij s.

For his candle in the schoole all that winter 1618, . . . . . viij s.

For ane eln linnyng to be him sokis, . . . . . xij s.

For ane half eln of cloth to be schankis, . . . . . xx s.

For ane eln and half ane quarter of red stennig to be him tua paris to the holy-day, . . . . . iij lib.  
of the quhilkis Duncan gat ane pair.

For schone to Duncan the xxij of August, . . . . . xij s.

For schone to Jhone the penult of August, . . . . . xv. s.

For ane knyff to Jhone, . . . . . vj s.

For making ane cott to Duncane of his black freiss cloik, . . . . . vi s.

For making ane cott and brekis to him of the freiss that came to him, . . . . . x s.

For making of Jhone his cott of the sam freis, . . . . . vj s.

For papir to thame, . . . . . xv s.

For ink to thame, . . . . . viij d.

For “Rudimentis” to Duncan, . . . . . v s. vj d.

For pulling thair heidis, . . . . . vj s.

Item, for tua pair of grene schankis to thame this winter 1619, making and all, . . . . . iij merkis.

ments of a less common character, and affecting less substantial rights—viz., the privileges attached to the custody of a certain relic of St. Fillan. Fillan, the son of Kentigerna, was of old reverence in the valleys of Breadalbane, and his monastery in Glendochart was still of such consequence in the time of William the Lion, that the Abbot, whether then a churchman or secularized, was named among the magnates of power to support the operation of a particular law beyond the reach of common legal process.<sup>1</sup> It was a century later that a relic of St. Fillan is said (by Boece) to have been the subject of a notable miracle, which Bruce turned to account for encouraging his soldiers at Bannockburn.<sup>2</sup> The story may be received as evidence of the reverence paid to St. Fillan in the historian's time. That it continued afterwards, we learn from the following documents, though, I fear, they show that his relics were degraded to the purpose of tracing stolen goods. The particular one which forms the subject of these instruments, the Coygerach, was known within the present generation in the hands of the family of Jore or Dewar, who so early vindicated its possession. It is the head of a staff or crozier of a Bishop or mitred Abbot, of silver gilt, elaborately and

<sup>1</sup> *Act. Parl. Scot.* i. 50. The powerful Abbot of Glendochart, joined in company with the great Earl of Athol of the ancient dynasty, looks like the lord of a secularized Abbacy—the *Coarb* of St. Fillan—the *successor Sancti Fillani* from whom the Dewars had first received the custody of their relic. It is possible that his line continued, though the lordly power and title departed. I wonder that some *seanachy* has not dis-

covered his descendants in the M'Nabs (*filii Abbatis*), who so long bore away in the region of St. Fillan.

<sup>2</sup> The only foundation extant for Boece's legend is a notice of the £5 land of Ochertyre given by Bruce to the Abbey of Strathfillan (*Reg. Sec. sig.* i. 54), and a payment of £20 made from Exchequer "to the fabric of the church of Saint Fillan," in the year of King Robert's death.

elegantly ornamented with a sort of diapered chasing.<sup>1</sup>

Two of these documents have been printed before,<sup>2</sup> but from imperfect and faulty copies. They are now given from the originals :—

# I.

“ Hec Inquisitio facta apud Kandrochid xxii die mensis Aprilis, anno Domini millesimo quadringentesimo xxviii., coram Johanne de Spens de Perth, ballivo de Glendochirde, de et super autoritate et privilegijs cujusdam Reliquie Sancti Felani, que wlgariter dicitur *Coygerach*, per istos subscriptos (etc.), Qui jurati magno sacramento dicunt, Quod lator ipsius reliquie de Coygerach, qui Jore vulgariter dicitur, habere debet annuatim et hereditarie a quolibet in habitante parochiam de Glendochirde, habente vel laborante mercatam terre, sive libere sive pro firma, dimidiam bollam farine, et de quolibet in dicta parochia habente dimidiam mercatam terre ut predicatur, libere vel pro firma, modium farine, et de quolibet in ista parochia habente quadraginta denariatas terre, dimidiam modij farine. Et si quivis alius inhabitans dictam parochiam magis quam mercatam terre haberet nihil magis solveret quam ordinatum fuit de una mercata terre. Et quod officium gerendi dictam reli-

<sup>1</sup> It is described and figured in the *Transactions of the Society of Antiquaries of Scotland*, III. 290, and in Dr. Wilson's *Archæology of Scotland*, p. 664.

Lands in Kilmun were in like manner held in virtue of the custody of the

crozier of St. Mund, and lands in Lismore by the custodiers of the *bachuill more* of St. Moluach. The latter relic is preserved.—*Origines Parochiales*, II. 72, 163.

<sup>2</sup> *Miscellany of the Spalding Club*, III. 239.

quiam dabatur cuidam progenitori Finlai Jore latoris presentium hereditarie, per successorem Sancti Felani, cui officio idem Finlaius est verus et legittimus heres. Et quod ipsa privilegia usa fuerunt et habita in tempore Regis Roberti Bruys et in tempore omnium regum a tunc usque in hodiernum diem. Pro quibus commodis et privilegijs, prefati jurati dicunt quod si contigerit aliqua bona vel catalla rapta esse vel furata ab aliquo dictam parochiam de Glendochirde inhabitante, et is a quo ipso bona vel catalla rapta essent vel furata, propter dubium sue persone vel inimicitias hostium, eadem bona vel catalla prosequi non auderet, tunc unum servum suum vel hominem mitteret ad eundem Jore de le Coygerach, cum quatuor denariis vel pare sotularum, cum victu prime noctis, et tunc idem Jore abinde suis proprijs expensis prosequetur dicta catalla ubicunque exinde sectum querere poterit infra regnum Scotie. Et hec universa per dictam inquisitionem fuerunt inventa, anno, die, loco et mense prenominatis. In cujus rei testimonium sigillum Johannis de Spens ballivi antedicti presentibus est appensum, anno, die, et loco supradictis.

## II.

Another instrument, not hitherto printed, records that on the 9th of February 1468, Margaret de Striveling, lady of Glenurquha,—

“In curia de Glendochyrt tenta apud Kandrocht Kilin per balivum ejusdem a Johanne M'Molcalum M'Gregour petiit firmas suas de terris de Coreheynan. Qui Johannes respondebat plane in facie prefate curie



coram omnibus ibidem existentibus denegavit quod non accepit assedationem dictarum terrarum domina Margareta sed a Deore de Meser et tenebatur in aliquas firmas de terminis elapsis illas dicto Deor' a quo accepit prefatas terras. Colino Campbel de Glenurquhay milite, domino M'Nachtag et domino Roberto M'Inayr, Inhecadyn et Kilin, Johanne de Stirling, etc."

The next is a letter of King James III.—

" III.

" LITERA PRO MALISEO DOIRE, COMMORAN' IN STRAF

" JAMES be the grace of God King of Scots and sindri our liegis and subditis spirituale and rale to quhois knaulege this our lettre salcun Forsemekle as we haue undirstand that our Malice Doire and his forebearis has had ane Sanct Fulane callit the Quegrith in keping of oure progenitouris of maist nobill mynde quassolye sen the tyme of King Robert the Bruce before, and made nane obedience nor ansuere soun spirituale nor temporale in ony thing of the said haly Relik uthir wayis than is contentit and auld infeftments thereof made and grantit be progenitouris ; We chairg you therefor strately mandis that in tyme to cum ye and ilkane of you ansuere, intend and obey to the said Malise Doire and his forebearis in the said Relik, and in all and na nain of you tak upon hand to compell nor

him to mak obedience nor ansuere to you nor till ony uthir bot allenary to us and oure successouris, according to the said infeftment and foundatioun of the said Relik, and siclike as wes uss and wount in the tyme of oure said progenitouris of maist nobill mynde of before ; And that ye mak him nane impediment, letting nor distroublance in the passing with the said Relik throu the contre, as he and his forebearis wes wount to do ; And that ye and ilk ane of you in oure name and autorite kepe him unthrallit, bot to remane in siclike fredome and liberte of the said Relik, like as is contenit in the said infeftment, undir all the hiest pane and charge that ye and ilk ane of you may amitt, and inrun anent us in that pairt. Gevin undir oure priue sele at Edinburgh this vj day of Julij, the yere of God j<sup>m</sup> iij<sup>c</sup> lxxxvii yeris and of our regnne the xxvij yere. JAMES R."

The Coygerach of St. Fillan was long afterwards known in the Highlands of Perthshire. The last of these deeds was registered as a probative writ at Edinburgh, 1st November 1734 ; and M. Latocnaye, who made a tour in Britain in 1795, gives this notice of the Relic,—“ Ayant vu l'annonce d'une fameuse relique, en la possession d'un paysan aux environs, nous avons demandé à la voir. Elle ressemble assez au haut bout d'une crosse d'évêque, et est d'argent doré. Le bon homme qui nous l'a montré, et qui gagne quelque peu d'argent avec elle, vraisemblablement pour augmenter notre intérêt, nous a dit très sérieusement, que quand les bestiaux étaient enragés, il suffisait de leur faire boire

de l'eau passée par l'intérieur de sa relique ; l'eau bouillonne sur le champ quand le remède ne veut pas opérer (d'où on pourrait conclure qu'il opère souvent), et que l'on venait de plus de cent milles chercher de son eau. . . . Quoiqu'il en soit, j'ai été charmé de trouver une relique parmi les Presbytériens."<sup>1</sup>

The Relic, it is believed, has been for some years in Canada, but whether it retains its virtues in the New World is unknown.

Such are the materials which a Highland charter-room has afforded for illustrating some centuries of Highland life. They will not be slighted as a mere collection of antiquarian curiosities, if they are found to throw light on the state of property and the institutions of an interesting district, and to exhibit early forms of life and progressive changes of manners in its pastoral people. There is enough of romance in the glimpses here opened of the rough life of "the good old time," and it is pleasant to think that while much is changed, every change has been for the better. The district, which these papers show us in so wild a state of lawless insecurity, has for the last two centuries steadily improved ; and the progress has not been more marked in the face of the country than in the moral and physical condition of the people, and their social happiness.

<sup>1</sup> Promenade autour de la Grande Bretagne, par un Officier Français Emigré, p. 294. Edinb. 1795.

## CAWDOR PAPERS.

WHEN we first meet with written records connected with the district beyond Spey, it had recently been the scene of a notable revolution. Successive rebellions of the native population of the plain of Moray, in support, apparently, of a claim of their Maormors or hereditary chiefs to the throne, had been suppressed with much rigour; and our old historians tell us, the whole people had been driven out, and the land given to strangers. Putting a very limited confidence in those authors, and making due deduction from the improbable story of an entire transmigration, we yet find sufficient evidence of great changes of people and polity. The influx of southerners, which was so remarkable a feature of Scotch civilisation from the reign of Malcolm Canmore downward, set most strongly over the wheat-growing plain of Moray, and before the end of the thirteenth century Celtic tenures and customs had disappeared; all the great lords of the soil, all the Crown vassals, all the recorded benefactors of the Church, were unmistakably Normans or Saxons, holding their lands for military service.

It is in that century that we have first evidence of a general valuation of land, the property of subjects, evidently as the measure of public imposts; while the lands held by the Crown in property were also valued and entered at a fixed rent in the King's Rental. Many of these Crown lands were held by tenants with

no feudal or written title, yet not to be removed arbitrarily, whose rights and burdens were ascertained by the Rental. They seem to have been often of the native stock, and very likely continued to hold as Crown tenants what their forefathers had possessed under their native lords. Their leaders, or the more important of them, in time sought to imitate the southern fashion, and obtained permanent rights to their land, though different from the feudal or military holding, and without evading the payment of rent. The administrator of the Crown lands, the collector of rents, the magistrate and head man of a little district, known among his Celtic neighbours as the "Toshach," took a charter of the whole district from the Sovereign, whereby he became, under the Saxon name of Thane, hereditary tenant, paying the sum at which the land stood in the King's Rental, and preserving all his ancient authority now strengthened and legalized.<sup>1</sup> In this manner it fell that the Saxon title of Thane became common, chiefly in the north, and in the least Saxon part of Scotland, but it does not follow that the title expressed exactly the same rank and dignity with the English title of Thane.

One of our ancient codes of customary law, which

<sup>1</sup> This page is given as the result of some research, but by no means as the ascertained history of a change in our institutions, obscure in itself through antiquity and loss of records, but rendered doubly dark by the foolish fictions of lawyers like Skene and historians like Boece. The inquirer into the history of Scotch Thanes must begin with discharging from his mind everything that has been written on the subject, from Hector Boece down to the latest guessers

on matters of Scotch history and law, including, it must be confessed, the last scene of the tragedy of Macbeth, "*supposed to be true history; taken from Hector Boetius and other Scottish chroniclers*"—as the old title-page has it. It may be noticed, however, that Buchanan, slighting Boece's fiction of all Thanes being made Earls, says incidentally, that in his own time Thanes of Districts began to be called Stewards, vii. 86 r.

was specifically abrogated by the famous Ordinance of Edward I., A.D. 1305, had for its object that which was common to all the northern codes—to estimate the grades of society, and the penalties to be paid for injuring each. There, after the King comes the Earl. The Thane ranks equal with the Earl's son. The *Cro* of an Earl of Scotland, or of a son of the King, is seven score and ten cows. The *Cro* of an Earl's son, or of a Thane, is one hundred cows; and, passing some intermediate grades, the *Cro* of a Villeyne or Carl is sixteen ky. The same proportion is preserved in the penalties for slaughter, committed in the peace of our lord the King, of an Earl, or of a Thane; and in like manner the Thane is ranked with the Earl's son in estimating the *galnes*, *enach*, and *gelchach*—the Celtic shapes of the “*rectitudines singularum personarum*.”<sup>1</sup>

But whatever was their rank, the office or dignity of Thane was not uncommon. Rarely met with in the south, Thanedoms are found mostly in Angus and Mearns and the northern shires down to the Moray Firth. We must not expect to find them in the fertile plains of the Lowlands, which were speedily and entirely occupied by the southern settlers, become feudal Barons; nor yet in the inner fastnesses of the mountains, where the Celtic institutions unmodified, excluded the Saxon title

<sup>1</sup> *Acta Parl. Scot.* i. 209. *Leges inter Brettos et Scotos*. These customs of the Strathclyde Britons bear the stamp of a higher antiquity than we have here to deal with, and of a more Celtic form of society. There is no niche for the Baron or great vassal of the Crown holding his land by military service. The ranks

specified are the King, Earl, Thane (which Spelman held to be an equivalent for the Celtic *Tosche*), Ogthiern (literally, young lord, perhaps the oldest cadet, sometimes called Captain of the Clan), and the Villeyne or Carl, the cultivator of the soil.

or office. But along the borders that separated the races, along the southern foot of the Grampian hills, through the Braes of Angus and Mearns, in the hilly skirts of Aberdeen and Banff, where the Sovereign had established his dominion, imperfectly it may be, but had not driven out the native people, we find numerous Thanes and lands held in Thanage. In the narrow country between Findhorn and the Nairn we have four, some of them of very limited extent.<sup>1</sup>

In rank, the northern Thane held nearly the same place as that fixed in the customs of Strathclyde. We find him in these documents subordinate to the great Earls of Ross, and evidently at least equal with Barons holding of the Crown by feudal service.<sup>2</sup>

All we know of the early tenure of Cawdor is learnt from the charter of Robert I., 1310, which, in granting the Thanedom to William, Thane of Cawdor, in heritage, for twelve marks, to be paid in exchequer yearly, and the former services, sets forth that the lands were held in thanage of the Crown, on the same conditions (and evidently by the same family), in the time of King Alexander, of good memory, last deceased, that is, King Alexander III., who finished his long reign in 1285.<sup>3</sup>

<sup>1</sup> Dyke, Brodie, Moyness, and Cawdor, Archibald Earl of Douglas granted to his brother-german James of Douglas, the barony of Petyn, the third of Doufhous and Awasschir, and all the lands lying within the *Thaynedomeis* in the lordship of Kylmalaman (*Kilmalemak*) in the sheriffdom of Elgin; confirmed by Crown charter of James I. *a. r.* 21-1426. We meet with at least fifty thanedoms named in Scotch charters.

<sup>2</sup> When the superiority which had

shifted from the Crown to the Earls of Ross, became at length fixed in the Sovereign, the King united a number of later acquired lands with the original thanage, into one entire thanage of Cawdor, "having the liberties and privileges of a Barony," to be held for ward, relief, and marriage, and military service—the ancient payment of twelve merks abandoned.

<sup>3</sup> The original Charter of Robert I. is at Cawdor.

We may conjecture, with sufficient probability, that Donald, Thane of Cawdor, who was one of the inquest on the extent of Kilravock and Geddes in 1295, had died recently before the granting of King Robert's charter to Thane William. We know that Thane William lived to have a son, also named William, in manhood and acting along with himself, about 1350.<sup>1</sup>

The latter William was succeeded by Andrew, at whose death we become somewhat acquainted with the state of the family and its possessions. As we cannot name the first Celtic chieftain who consented to change his style of Toshach and his patriarchal sway for the title and stability of King's Thane of Cawdor, so it is impossible to fix the precise time when their other ancient property and offices were acquired. But on 11th July 1405, we find Donald, Thane of Cawdor, succeeding, by formal process of law, to his father, Thane Andrew, who died last vest and seised in the offices of hereditary sheriff of the shire, and constable of the royal castle of Nairn. The family had now also acquired, from an unknown source,<sup>2</sup> one half of the lands of Dunmaglass,

<sup>1</sup> In the Innes charter-chest at Floors is a careful transumpt (taken at the instance of Sir Walter of Innes in 1454) of two charters of Johannes de Haya de Tulybothvil, both granted to his brother-in-law, Thomas of St. Clair: the first, of lands in Strathpefir, in Ross, dated 4th December 1350. The second, of half of Urchany Beg in Nairn and the Davach of Petcarsky in Sutherland, is not dated, but must be granted somewhat earlier than the preceding. It is on the occasion of the marriage of St. Clair with Eufemia, the granter's sister, and it is witnessed by Roger Bishop of

Ross, Hugh de Rosse brother of the Earl of Ross, Henry called Falconer baron of Lethyn, Hugh de Rosse, Adam of Urchard, *William Thane of Culder, William his son*, etc.

<sup>2</sup> Mr. Hugh Rose, the historian of Kilravock, gives us the tradition of his time, that the same Gilbert Hostiarus who had the charter of Both and Banchor from King Alexander II., had also a grant of the Thanage and assumed the name of Cawdor, and that from him the family are descended.—*Hist. Kùr.* p. 61. There is nothing to support this tradi-



to which Thane Donald soon added the other half, purchased from the family of Menzies. Now, however, the tenure of the Thanedom, and of the other hereditary offices, held in the time of Robert Bruce immediately of the Sovereign, was changed. By one of those exertions of power, which the Scotch Parliament soon declared unconstitutional, the Earls of Ross had been interposed between the Crown and its vassals over a great district of the north; and when Thane Donald succeeded, his investiture flowed not from the King, but from his brother Robert Duke of Albany (afterwards Regent), who styles himself lord of the ward of Ross, which he held as grandfather of the young Countess Eufam, who became a nun. It was only on the forfeiture of John of the Isles and Earl of Ross in 1475, that the Thanage, much increased in territory, became again and permanently a Crown holding.

Thane Donald added to the family possessions the

tion. Durward was too good a name to be lightly changed. The arms of Durward seem to have been a chief, without other charge. The Cawdors have always given a hart's head.

That which looks like an augmentation of the family coat—which appears on Thane Donald's seal, as one buckle on the chief, but which afterwards swelled out into a fess *azure* charged with three buckles *or*—may indicate the acquisition of lands by marriage or inheritance. We do not know from whom the first half of Dunmaglass was derived. But in that neighbourhood was settled, at a very early period, a family of Stirling, who were sometimes called Stirlings of Moray, to distinguish them from the families of the same name in Perth and

Angus.—(*Ragman Roll*, 1292; *Regist. Morav.* p. 99.) Stirling is one of the few names that give buckles for their coat armour; and it is not impossible that the buckle in the shield of Cawdor may indicate a marriage with an heiress of that northern branch. Alexander de Strivelyn, who was settled apparently near the church of Daviot, in the thirteenth century, had married a daughter of Freskinus de Kerdale, a cadet of De Moravia; and the stars which Thane William added to his paternal arms may allude to the same connexion with Stirling, and through them with the great family of De Moravia, whose three mullets in different positions appeared in most of the ancient coats of Moray.

level fields of Moy, near Forres, the half lands of Dunmaglass already mentioned, the lands of Little Urchany, closely adjoining his hereditary Thanage, and some roods in the burgh of Nairn. We know nothing more of him except that he must have given his son an education unusual among laymen at that time, to qualify him for the offices he held under the Crown.<sup>1</sup>

When William the son of Donald succeeded to his father in 1442, King James II. was only eleven years old. The Douglasses, already too powerful for the Crown, had set their desires upon the Earldom of Moray, and were not scrupulous as to the mode of acquiring it. The great territory, reaching from sea to sea, which Bruce had erected into an Earldom for his nephew, Thomas Randolph, had passed into less vigorous hands. The line of Dunbar had terminated in two daughters of Earl James, and the Douglasses had secured the marriage of Elizabeth the younger. To have the younger daughter preferred in the succession, and to give her husband, Archibald Douglas, the estate and dignity of Earl of Moray, were steps that seemed ordinary administration where a Douglas was concerned, and hardly a voice was raised against them. During that factious and turbulent minority, Archibald Earl of Moray found time to attend to his northern territory. He restored and strengthened the old keep of Lochindorb, once the head castle of the Lordship of Badenoch, and rendered famous by the siege

<sup>1</sup> We find *Donalde of Kaldor thayne of that ilke* with the Earl of Moray and the Bishop of Ross, Dame Mary of Ile, Lady of the Isles, and many of the best

of Moray and Ross assembled at Chanounry of Rosmarkyng, 16th August 1420. — *Original instrument at Brodie, printed in Regis. Episc. Morav.*

it sustained when the Countess of Athol held it out for a whole winter against the Regent Andrew Moray, till relieved by Edward III. in person. He rendered the forest castle of Darnaway defensible, but his great operations for restoring or building the castle and hall were still in progress at the time of his downfall. When he rushed with his brothers into open rebellion, and fell at Arkinholme in 1455, the special charge on which his lands were escheat to the Crown was, "*pro munitione et fortificatione castrorum de Lochindorb et Tarnua contra Regem.*"<sup>1</sup>

Before the downfall of the Douglasses and the consequent revolution in Moray, William Thane of Cawdor seems to have enjoyed some office about the Court and the King's person. In the Crown license for building and fortifying his castle of Cawdor, in 1454, the King, then twenty-three years old, designates him as his loved familiar squire (*dilectus familiaris scutifer noster*). That was the year of the great Douglas rebellion; and on its termination and the death of Archibald Earl of Moray, the Thane of Cawdor was employed in fixing the rental and managing the estates in the north which had fallen to the Crown by those events.

In 1457, the Thane of Cawdor and Mr. Thomas Carmichael, canon of Moray, held jointly the office of King's chamberlains beyond Spey, and rendered their accounts of the whole income and expense connected with the Crown property of that district, at Linlithgow, on the 19th of July of that year. The ancient Crown

<sup>1</sup> *Acta Parl. Scot.* II.

Rentals of Scotland are all lost ; and the local antiquary must look to these accounts for the earliest notices of the divisions and occupation of property and the condition of the country. He will know how to value fifteenth century lists of Crown and Earldom lands, with their rental stated, and often their produce in kind. In the expense side, he will find minute details of repairing the Royal Castle of Inverness ; information regarding the property of the great Earldom ; corrections for the pedigree of Lovat ; particulars of many interesting families, as De Insulis, several Dunbars, the Lindsays—two Dowager-Countesses of Crawford drawing tierce of Strathnairn, and a Countess of Moray, re-married to Sir John Ogilvie of Luntrethin, allowed her widow's third of the Earldom rents.

Church foundations are often our oldest memorials of historical events. Out of these Earldom rents, payments were due to several chaplains celebrating in the Cathedral at Elgin. Among them are five chaplains of St. Thomas the Martyr, founded by Earl Thomas Randolph, and confirmed by his uncle King Robert ; and one endowed by King Alexander II. for the soul of King Duncan—"the gracious Duncan"—who, Fordun says, died at Elgin.

The same accounts bring us acquainted with the private life of James II., and fill up partially a gap of several years left entirely blank by our historians. As soon as the rout of Arkinholme and the fall of Abercorn Castle (1455) had marked the entire suppression of the Douglas rebellion, the King seems to have turned his

attention to establishing order and authority in the north, and especially in the great earldom which Archibald Douglas had forfeited with his life.

It is evident that the King was himself active in the work of civilisation. He held courts of justice ; directed a new rentalling of the earldom, which he bestowed upon his infant son David ;<sup>1</sup> took up his residence sometimes at Inverness, sometimes at Elgin. While at the latter rural city, he claimed the hospitality of the Bishop in his castle of Spynie, or found lodging for his little court in the College, in the manse of Mr. David Stewart, parson of Duffus, who was then employed, along with the Thane of Cawdor, in the administration of the earldom.<sup>2</sup> While the King was residing there, and the parson of Duffus absent probably on some embassy,<sup>3</sup> the manse was accidentally set on fire, with some of the homely fare provided for the royal larder ;<sup>4</sup> and either to remedy that disaster, or to give additional accommodation for the unusual guests of the little dwelling, a new kitchen was built at the king's expense. It was not only for state business and holding of justice courts that the young king stayed in Moray. He felt the fascination of the country, and took means to enjoy it. The castle of

<sup>1</sup> This legitimate son of James II. is not known to our historians. He died in infancy.

<sup>2</sup> David Stewart, parson of Duffus, was afterwards Bishop of Moray, and like his coadjutor the Thane of Cawdor, has perpetuated his memory by building a tower, still known as "Davy's Tower," and the most stately of the buildings of the Bishop's palace and castle of Spynie.

David Stewart died in 1475, and was buried with his brother James, the preceding Bishop, in St. Peter's and St. Paul's aisle, on the north side of the Cathedral.—*MS. Notes.*

<sup>3</sup> *Extra Regnum.*

<sup>4</sup> Dried fish and pease—*piscibus quæ dicuntur Stokfisch et tribus bollis pisarum*, and also casks, barrels, tubs, and other wooden vessels which had been provided for the king's use.

Lochindorb, a formidable Norman fortress in a moorland loch, which had been fortified against his authority by Douglas, he doomed to destruction, and employed the Thane of Cawdor to demolish it.<sup>1</sup> But he chose Darnaway for his own hunting-seat—as old Thomas Randolph had done a century before—and completed the extensive repairs and new erections which the Douglas Earl had begun. The massive beams of oak, and solid structure of the roof of the new work described in these accounts, are still in part recognisable in the great hall at Darnaway, which popular tradition, ever leaning towards a fabulous antiquity, ascribes to Earl Randolph, but which is certainly of this period. Here for two seasons the king enjoyed the sport of the chase. Great territories on both sides the river were thrown out of cultivation for the sport, and the tenants sat free of rent while their lands were waste.<sup>2</sup> What was the manner of the hunting we are not informed. The sport of hawking, indeed, might well be enjoyed on the river bank at Darnaway;<sup>3</sup> but hawking could not require a whole district to be laid waste. The fox was not of old esteemed a beast of chase in Scotland, nor perhaps so early in England. The wolf was trapped and speared and done to death as vermin. There is no doubt the king's chief game was the red deer, the natives of those

<sup>1</sup> The cost of demolishing the strong Norman fortalice was £24.

<sup>2</sup> *Propter vastitatem terrarum de Knok et Aylenach—pro vastitate terrarum de Clakmarras pro parte Regis, etc. Quia de mandato Regis erant proclamatae vastae pro venationibus. Proclamatae vastae pro venatione.*

<sup>3</sup> The heronry at Darnaway, so well known to the lover of the picturesque, is comparatively a late settlement. But the streams of the Findhorn must always have been a haunt of the fishing bird, as its cliffs must have at all times sheltered the falcon's eyrie.

hills ; and it is probable that the hart was shot with arrows, and hunted down with the old rough greyhound, still known among us as the deer-hound, and until lately in Ireland as the wolf-dog, with such help of slower dogs of surer scent as the country could afford ; for the English "hound" was hardly known in old Scotland. But "riding up to hounds," or riding at all, must have been very partially used among the peat-mosses and rocks of the upper valley of the Findhorn.


It may fairly be conjectured that Thane William's public employments were the source of his prosperity. His building of the castle, large additions to the family estates, making a very opulent marriage for his heir,<sup>1</sup> point him out as the person who raised the family to that position which it maintained, with little change, for several centuries.

"The Thanes of Cawdor," writes Lachlan Shaw, "as Constables of the King's house, resided in the Castle of Nairn, and had a country seat at what is now called Old

<sup>1</sup> Alexander Sutherland of Dunbeath, who was married to Marion of the Isles, the daughter of Donald Lord of the Isles, had great estates in land, and other property very unusual for a Scotch gentleman of the fifteenth century. From his will, which has been preserved, we learn he had at least five sons, one of whom was Archdeacon of Caithness at the date of the will, and four daughters, of whom Marjory was married to William Earl of Orkney and Caithness, Lord Chancellor, and Mariot to the young Thane of Cawdor. The will, which bears date at Roslin, 15th November 1456, shows the wealth of the testator in corn, cattle, and money, and also *in iron*, and the large debts due to him.

The bequest to the Thane's lady is as follows :—"I geve and assignys to my douchtir Marion al the lave of my landis that I have undisponyt upon ; and sa mony ky ald and yong as I have with Aytho Faurcharstone [40 ky] or with Mackay Renauch [24], and sa mony ky as scho aucht to have of Williame Polsonys ky." He directs his body to be graved in the College kirk of Roslin, near where the Earl his son-in-law thinks to ly. He seems to have lived in the family with the Earl of Caithness, and he left a silver collar to Sir Gilbert the Haye, a versifier and translator of French metrical romances into Scotch, apparently his intimate friend.—*Bannatyne Miscellany*, III. 93.

Cawdor, a half mile north from the present seat. There they had a house on a small moat, with a dry ditch, and a drawbridge, the vestiges whereof are to be seen." The remains at Old Cawdor—in the midst of the flat alluvial plain—have only finally disappeared within the memory of the present generation :—"The tower," writes Shaw, speaking of the present castle, "stands between two courts of buildings. Tradition beareth that the Thane was directed in a dream to build the tower round a hawthorn-tree on the bank of the brook. Be this as it will, there is in the lowest vault of the tower the trunk of a hawthorn-tree, firm and sound, growing out of the rock, and reaching to the top of the vault. Strangers are brought to stand round it, each one to take a chip of it, and then to drink to the hawthorn-tree, *i.e.*, 'Prosperity to the Family of Calder.' This house, with spacious enclosures, fine gardens, a park of red deer, and a large wood close by the house, make a grand and delightful seat." Shaw omits, perhaps advisedly, part of the legend, which is yet vouched by the constant tradition of the castle—how the Thane resolved to build a tower of fence, but hesitating as to its site, was admonished in a dream to bind the coffer containing his treasure he had collected for the purpose on an ass; to set the animal free, and to build his tower wherever it stopped; how the treasure-laden ass stopped exactly at "the third hawthorn-tree," and how the castle was there built accordingly. The "first and second hawthorn trees," which stood within a hundred yards of the castle, fell within the last forty years, bearing the marks of extreme






old age. Even those who are sceptical enough to question the mythical history, must confess that the tree is still standing rooted in the castle vault, and that beside it lies the coffer, albeit no longer full of gold or silver.

William Thane of Cawdor, the son of the builder of the tower, was, like his father, a lettered man, and he fell on a time when learning was in repute in the north—when an Earl of Huntly was Lord Chancellor of Scotland, and when barons were ordained by Act of Parliament to put their eldest sons to grammar schools. He added to the estates of the family by marriage and purchase. He changed the base tenure of his estates into a Crown holding, attended to his affairs in person, docquetting important papers with his own hand. He was familiar with forms of law and legal instruments. Now was the time of quarrels with neighbours, quarrels at law and against law, and laborious treaties of peace, arbitrations about marches, and those strange contracts of marriage where parties arranged the nuptial happiness of their children before they were born. Through all, the family continued to prosper. The Thane's own first marriage was apparently very fortunate, and perhaps also his second, with the widow of Kinnaird of Culbin. Not so the long premeditated marriage of his son, that was meant to heal the differences between the houses of Cawdor and Kilravock.

On account of some personal defect, the Thane's eldest son William was set aside (put from all his lands and heritage), with a pension until he should obtain a church benefice, and with the sheriffship and constabu-

lary, which were probably held inalienable from the heir-male ; and John, the second son, was to be invested in the whole heritage of his family, "as sicker as men's wit can devise," and married to Isabella the Ross of Kilravock. The marriage was not happy, and the feud of the two houses was embittered by family dissensions, in which it appears the old Thane took special umbrage at his son's bride. The young man did not long survive his marriage, dying in 1498.

It was not unnatural that the four sons and even the old Thane should look back with some disappointment on the transactions which had resulted only in leaving an infant girl sole heiress of the possessions of their house. They resolved, if they could, to set her aside ; and, with the help of their kinsman, the Precentor of Ross, they brought forward some curious evidence to prove her illegitimate. But the little Muriel was not unfriended. The new tenure was against them too. The young Thane had been fully invested ; the estates held ward of the Crown ; so that the infant was under the care of the Sovereign, who bestowed her ward and marriage upon the Earl of Argyll, and, backed by that powerful guardian, the little Muriel floated safe through the storm of a disputed succession. The marriage of the heiress to the son of her guardian (the donator of her ward and marriage, as the lawyers called him), was an understood sequel of the gift, and followed as a thing of course, and without undue delay, for Muriel of Cawdor was only twelve years old when she was given in marriage to Sir John Campbell, the Earl's third son.



It is to be hoped that John Campbell was a kind husband to his child-wife. Certainly the marriage had many advantages, and perhaps no other alliance in Scotland could have enabled the young heiress to hold her own so well among rough neighbours and unfriendly kinsmen and clansmen.

The Campbells were already firmly established in the room of the great ancient lords of Argyll, the Isles, and Lorn. But theirs was a different rule from that of the pirates and rude princes, their predecessors. Not satisfied with a sway quite absolute, and which they might easily have made independent, over the Celts of those remote and inaccessible mountains and isles, the Campbells, from the beginning, attached themselves to the Scotch Court, obtained great and opulent marriages, and held the highest offices of the state. The first Earl of Argyll had been Chancellor ; the second, who fell at Flodden, was Master of Household ; and the third handed down, as hereditary possessions to his successors, the great offices of Master of Household and Great Justiciar of Scotland. But it was the personal character of the race, predominating alike in policy and force over all their neighbours, that gave the Campbells their chief influence.

Sir John, who married Muriel of Cawdor in 1510, was the third son of that Earl Archibald who was killed in the field of Flodden three years later. His mother was a daughter of the gallant race of Stuart of Darnley. He himself was a Campbell of the old stamp, seeking incessantly to increase his possessions and extend his influence. His

treaties with cousins of his own clan, with the M'Leans and Camerons, M'Leods, M'Donalds, and M'Neills, show both his policy and his acknowledged power. The proudest of the Highlands did not disdain to take service with him,—to become leal and true men and servants to Sir John Campbell of Cawdor. It is astonishing how soon the old Cawdors—the four uncles of Muriel and their kinsman the Precentor, went down before the ascendancy of the new Thanes. The careful economies of the Precentor were all in vain, and the estates he had providently acquired to maintain the male line of his house, all came at length to swell the possessions of Muriel's husband.

Sir John's own possessions in Argyll were large and still increasing. He seems to have already pretended some right to Isla, and long before the general spoil of church lands, the Campbells, who could not wait for the Reformation, had appropriated to him a great territory on the shore of Loch Etive (a hundred merk land of old extent pertaining to Iona), of which he had previously been bailie.<sup>1</sup>

Muriel, while still an infant, seems to have been removed for safety to Argyll, and she probably passed the first years of her married life in her husband's country. We moderns, looking on the unmatched beauty of that western shore, may feel some surprise that even the charming situation of Cawdor, and the lighter air and bright sky of Moray could compensate for it in the eyes of a Campbell. There were other considerations,

<sup>1</sup> Feu-charter *a.* 1532.

no doubt, then more weighty. Ferquhard M'Lachlan, Bishop of the Isles, and no stranger to the manners of his people, when making over the church land on Loch Etive to Sir John, recorded that the estate was in a wicked and pernicious province, from whose inhabitants he and his predecessors could get no rents or profits, expressing an unnecessary doubt whether Sir John Campbell will be more successful. Now, though a Campbell knew how to draw his rents in Argyll, it is not improbable, that as the knight got older and richer, the security of the east coast, amidst Saxon settlers and their institutions, amidst royal burghs, endowed churchmen, regular and secular—all lovers of order and respecters of property—might lead him to prefer his wife's country and to settle there permanently. It seems that Sir John and his family came to Cawdor in 1524, and from that time made it their usual residence.

After a prosperous reign, Sir John died in 1546. The Lady Muriel survived him long, and survived also their eldest son Archibald, who died only five years after his father. At length, when Dame Muriel of Cawdor is now of a good old age, in the year 1573, she resigns her thanage and lands in favour of her grandson, "Jhone Campbell, my oy, his airis male and assignayis;" and so disappears from the scene.

John, the young Thane, made a good beginning. He married Mary Keith, the daughter of a very noble, opulent, and, for the times, most virtuous family, the Earl Marischall's, and the younger sister of the good Dame Annas Keith, wife of the Regent Murray, and after his

assassination, of Colin Earl of Argyll. In Thane John's time befell the greatest revolution in the world—the Reformation; yet no paper preserved at Cawdor bears notice of it directly or incidentally, if we except large accessions of church lands—the priory lands of Ardchattan on the west, and the bishopric lands of Arderseir on the Cawdor side—and the crowd of churchmen avowing families of children (some of whom must have been born before the Reformation made them lawful).

The marriage of John Campbell of Cawdor with the sister of the Countess of Argyll had drawn his connexion still closer with his chief's family, and upon the death of her husband, the Chancellor, Earl of Argyll in 1584, he was one of six persons named to advise the twice widowed Countess in the management of the Earldom during the minority of the young Earl, her son.<sup>1</sup> Not content with his share of power, Cawdor planned with Campbell of Lochnell to seize

<sup>1</sup> The Earl's will is notable. Here are some of its terms:—

"Item, because the burding wil be havië to my said spous to reull and governe the cuntrie of Argyll and Lorne, etc., induring the tyme of my sonis minoritie, I will and ordane to be adjunit with hir in that behalfe, the intromission of geir allanerlie except, thir personnes following conjunctlie; that is to say, Duncane Campbell of Glenurquhy, Dougall Campbell of Auchinbrek, Johnne Campbell of Calder, James Campbell of Arkinglass comptrollar, Archibald Campbell of Lochinelly, and Mr. Neill Campbell Bishop of Argyll, quhais counsal my said spous sall follow in all thingis concerning the weill of my sone and his cuntre. . . . Attour, in cace of inlaik

of my wyf, I leif the government of my dochter Annas unto the said John Campbell of Calder, and to his wyf, hir modir sister. . . . And now, last of all, I leif my son Archibald to be brocht up be his mother and my freindis in the feir of God; and ordanis and willis him and thame that thai never suarf nor schrink bak from the treu religion of Jesus Cryst professit and prechit within this realm, bot that thai, with their bodeyis and guidis mantene and sett forward the samin to the uttermost of thair poweris in all places, speciallie within the boundis of Argyll and Lorn."—*Latter Will of Colin Earl of Argyll*, Chancellor and Justice-General of Scotland, made at Darnaway, 5 and 6 September 1584.

and keep the boy by force, Lochnell to have control of his household, Cawdor of his person,<sup>1</sup> and thus to rule the State together. Cawdor seems to have attained his object, and after the death of the Countess Dame Annas Keith,<sup>2</sup> and of Ardkinglass the comptroller, governed the young Earl, and his kingdom with almost undivided sway.<sup>3</sup> It was a short rule, however, and came to a violent end. Young Ardkinglass, the comptroller's son, provoked that he was unable to exercise the same influence as his father, and having tried to gain the young Earl's affection, by means of witchcraft, without effect, took the more certain Highland method of removing an impediment from his path. He employed two poor natives to do the deed, and Cawdor was shot at night by three bullets from a hagbut fired through a window of the house of Knepoch in Lorn. The instruments in the assassination were given up to punishment, but their instigator was not punished.<sup>4</sup>

The half century covered by the life of the second

<sup>1</sup> Two bonds of agreement were subscribed on the same day, the one ostensible, if need were, the other secret.

<sup>2</sup> She died at Edinburgh, 16th July 1588. Her testament gives a valuable statement of the household servants and their wages, and of the house-rent then paid in Edinburgh for a lady of rank—the dowager of two Earldoms, and, at the time of her death, administering one.—*Argyll Letters, Maitl. Club.*

<sup>3</sup> It is to this we owe a little note of travelling expenses in the West Highlands in 1591.—See Appendix.

<sup>4</sup> The Testament dative of "John Campbell of Caldor quha decesit intestate in the month of Februar 1591," is

registered in the Commissary books of Edinburgh (15th August 1592). His moveable property consisted mostly of corn and stock on the Mains of Clerkington, the lands of Braidwood, Frerilian, Fairlihoip, Nether Liberton, his connexion with which estates we do not gather. Among the debts due by the defunct are house-rent owed to Robert Oliphant, burgess of Edinburgh, for his house in Edinburgh occupied in 1591, £80, and a year's wages to servants—W. Lauder, 40 merks; John Caddell, £20; two others at 16 merks each, one at 10 merks, one at £5; David M'Kane, cuke, 10 merks; another man-servant at £5, and another at 8 merks; and three women-servants at £6 and £4 each.

Sir John of Cawdor was a very eventful period for the family : a period of great acquisitions of territory, some of it won by the sword,—of high alliances,—of personal misfortunes, domestic quarrels, and the unhappiness of overwhelming debts. The known historical events in the family make us regret the more the almost entire absence of familiar correspondence and domestic documents. It is a pity we can see nothing of the first wife, Jane Campbell, the daughter of black Sir Duncan of Glenurchy (a very interesting person in the history of Highland civilisation) and whose grandmother was of the gentle and unfortunate house of Gowrie. How much it is to be regretted that the documents relating to Isla, are all what may be called public documents. We long to know the personal adventures of the Knight and his Squires in their perilous expedition ; still more the life of the Lord and Lady when Isla was their own. Did they live in armed state in the Castle of Dunivaig, or in the Fortalice of Illanlochgorme ; and what manner of neighbourhood and hospitality was kept in their island kingdom ? Of all that, we learn nothing. We hear of a fierce but unsuccessful onslaught on Dunivaig in their absence ;<sup>1</sup> we hear of the maills paid to the Crown, alas ! too irregularly ; and now and then have, incidentally, notice of the manner of raising these by multitudes of cattle levied from the inhabitants, and sent in large droves (*scholls* they are sometimes called) twice a year

<sup>1</sup> In 1631, it seems to have been intended to throw down the Castle of Dunivaig, as too dangerous a strength within reach of such daring neighbours,

and to build "a more commodious house in a more proper part of the isle." But whether that intention was carried into effect we do not learn.



into England. But we gather nothing of life in the Isles ; and only learn that Cawdor was deserted, by the miserable description of the roof rotted, the glass, timber, windows, and doors fallen down, the very drawbridge broken down by a storm of weather,<sup>1</sup> and from the repair and re-edification that became necessary a few years later.

With the acquisition of Isla<sup>2</sup> (c. 1615) began the misfortunes of the family. The expense of winning and keeping the island ; large bribes exacted by courtiers, others possibly paid to the King, for the gift ; heavy rents to be made forthcoming while the land was still in the hands of enemies or waste : these causes, added to family expenses, the cost of two establishments, visits to a Court where none were welcome empty-handed, heaped up an amount of debt which, in that age—inno-cent as yet of bills and bank-notes—might have weighed down a better manager than Sir John Campbell. It appears, indeed, that he was not held a prudent head of a family ; for a meeting of friends convened to consider its affairs, in his own presence recommended his son to be set in his place, and in all respects treated him as a prodigal unfit to administer the estates.

But greater misfortunes than such as debt and imprudence can produce were in store. John, the eldest son, married to a daughter of Urquhart of Cromarty, sister to the eccentric Sir Thomas Urquhart, in 1622, was then invested in the fee of the estates. The marriage was probably not happy ; though we need not

<sup>1</sup> 1631 and 1635. The parish church, however, was rebuilt by Sir John.

<sup>2</sup> See Appendix.

credit the country gossip, which accused the young wife of designing to poison him.<sup>1</sup> But disputes arose also between him and his father, which would be aggravated by the old Knight's second marriage with the Lady Elizabeth Douglas, who had a large "maintenance" or provision out of the estate of Cawdor.<sup>2</sup> The straits to which the family were driven is seen in a sale, by Sir John to his second son Colin, of the "plenishing" of the old castle—a poor account of its provision for comfort or defence—in 1636.

John, the fiar of Cawdor, had hitherto lived and ruled in Isla, and it was apparently there that he was seized with his malady. In 1638, we find Dr. Beaton sent to Isla. Ominous consultations of Dr. Beaton, Dr. Arnot, and Dr. Sibbald, at Edinburgh, "concerning the Laird's sickness," and the Lord Advocate consulted "concerning the Laird's estate and the young boy's securities." The malady was not to be cured, and in the following year John Campbell of Cawdor was declared by a jury to have been, for eighteen months, unfit to manage his affairs, and his brother Colin declared entitled to be his Tutor-at-law.

We have now (1639) the contract for building "the Auld Hall and Kitchen of Calder." A Tutor undertaking

<sup>1</sup> Spalding tells the story of three gentlemen poisoned at a collation at Cromarty, and gives the scandal, as he loves to do:—"It is said the young Laird of Calder was marriet to Cromartie's dochter, who thereafter becam mad, and of whom his young Ladie had no plesour. Thus, he being with hir in the place of

Cromarty, this potion was in a quairt stoup provydit for him; bot fell utherwayes, as ye heir." At that time, sudden deaths and diseases not understood were always attributed to poison.—*Trubles*, 1643.

<sup>2</sup> This marriage was about 1635-36. The lady died some time before 1639.

so considerable an amount of building while the heir of the family was in so melancholy seclusion, shows the greatness of the necessity, or else that affairs were not so desperate as the hornings and escheats and all the diligence of the law put in force against the careless Sir John, would lead us to suppose. What the habitable house of Cawdor was before this time, it is difficult, but perhaps not impossible, to guess, by the help of some materials that would guide a practised and intelligent builder. There can be no doubt that the superstructure of the house north of the tower is altogether of this date or later ; and the description of the simple requisites of a Scotch gentleman's house of that period is not without interest. It is apparent that drawings or plans were not used, and that, in the very time when Heriot's Hospital was building in Edinburgh, Glamis in Strathmore, and Castle Fraser and Craigievar in Aberdeenshire, the Tutor of Cawdor was satisfied to leave the architecture of his family mansion to the Nairn masons, provided the "armes, names, and siferis upon the windockis were wrocht to the said Colin Campbell his contentment."<sup>1</sup>

Mixed with the din of the mason's hammer, we have some sound of the war that raged without. The family of Cawdor, as good cousins to Argyll, were probably of the Puritan party from the beginning. But about Colin the tutor, there is no mistake. He attended the famous Assembly of the Kirk at Glasgow in 1638, which abolished Bishops. He was one of the committee which was the occasion of the famous "Trot of Turriff" in

<sup>1</sup> 1639.

February 1639. There was no backsliding nor suspicion of Popery now, as in Sir John's time.

On whichever side a man was, in those times of civil war, he suffered for his opinions, for both parties followed the rule of living on the enemy. It thus fell out, that the estate and tenants of Cawdor were pillaged by Montrose and his cavaliers, and the charter-room, like many others in Scotland, abounds in those rolls and schedules of damages which the Laird hoped fondly to recover from the Government for injuries sustained.<sup>1</sup>

Colin was succeeded in the tutory by his brother George. Both seemed to have looked to Isla, or their possessions in the far west, as their securest place of dwelling during the troubles of the civil war; and it was probably on this account that the family of John "the fiar" were educated at Glasgow, while Lady Elizabeth's children, both before and after her death, were brought up among her relations in Edinburgh. While the children were at Glasgow, Colin, the heir of the Thanedom, attending the University, was taken ill, removed to Irvine, and, notwithstanding the care of the famous medicinar, Dr. Donald Ochonochar, brought from

<sup>1</sup> It is only after the battle of Auldearn that Spalding chronicles how "Efter this gryte vitorie, Montroiss directis to burn the Laird of Caddell Campbellis lands and houssis in Nairne and plunderit his hail goodis;" but it is evident that each party plundered and destroyed as they had power. More formal and legalized exactions were levied indiscriminately "on the country" and on friends. We find at Cawdor a certificate by the Marquis of Argyll, that George Campbell, Tutor of Calder, did furnish, in the

spring of 1644, to the Laird of Ardkinglass and the forces under his command against Allister M'Donald and the Irish rebels, quantities of meal, marts, butter, and cheese, which, with two months' pay appointed for the Tutor himself as a captain in that expedition, doth amount in money to £1579; for payment whereof there was assigned to him the loan and taxt of the Laird of Calder's rents in the shire of Argyll, extending to the same sum. The certificate is granted only on 12th July 1655.

Argyll to attend him, died there.<sup>1</sup> Sir John, his grandfather, long set aside from the management of the estate, died about the same time ; and at length, in June 1654, died his father John “the fiar,” the unhappy lunatic cognosed by the inquest in 1639, who appears to have spent his latter days in Isla.<sup>2</sup>

Hugh, the eldest son of the tutor Colin, was now Laird. Perhaps he is the *Hugo Cambellus* who is inscribed in the Register of Masters of Arts of the University of Glasgow, as having taken his degree in 1654. In this generation we arrive, as it were, by one step, from a state of society and feeling which we cannot rightly appreciate, so different does it seem from us, and find ourselves among the habits, manners, feelings, and motives—even the language of our own time. To this effect, the great Civil War serves as the line of demarcation between the old world and the new. We have now familiar letters—would that more of them were preserved!—household cares and comforts, and some of the elegancies and refinements of private life. The sons are

<sup>1</sup> It was to Irvine that the members of the University removed when the plague visited Glasgow in 1646.

<sup>2</sup> The children of John the fiar were Colin, who died at Irvine before him, and two daughters, Jane, married to the Master of Forbes, and Christian, upon whom some anonymous chronicler (perhaps a chamberlain, peevish at being compelled to pay her tocher) has affixed the stigma which I have copied in the table of pedigree. I find no foundation for the disparaging note. On the contrary, when her tocher was claimed in 1653, the parties moving were

William Master of Forbes, John Dunbar sometime of Hempriggs, and two other Dunbars of Penick and Hillhead, who, as assignees for Nicholas Dunbar and his wife Christian Campbell, obtained decree before the Commissioners for Administration of Justice for 8000 merks, provided to her under her mother's marriage-contract, of date 22d August 1622.

One of the children of this marriage seems to have been that Lillias Dunbar, wife of Alexander Campbell of Torrich, well known for her zeal in the cause of the Covenant. Many of her letters are at Kilravock.

sent to college, and afterwards travel abroad for improvement. The daughters play on the virginals and the viol da gamba, and have even a wish for balls. We have had no acquaintance hitherto with the ladies of Cawdor, except in their marriage contracts and settlements of dower. The Lady of the house now appears as a recognised authority, directing her housekeeping and domestic supplies. The Knight himself still attends to the droves from Isla ; but he has a scholarly feeling, and can express regret that “rambling abroad in the country, hunting, and hawking, have taken him from reading and study, except for divertisement.” Later in life he can recall his studious habits, and even descend into the arena of letters—the author of a printed book.

Sir Hugh came of age in 1660—the year of the Restoration ; and two years later, Lauderdale, already in full power, had obtained the gift of the young Thane's marriage, and probably directed his choice to his wife's niece, the Lady Henrietta Stewart, sister of the Earl of Moray.<sup>1</sup> The smallness of tocher of 9000 merks was compensated by the good connexion, and much more, as it turned out, by the good qualities of the lady, who lived long at Cawdor, and has left the memory of much feminine and domestic virtue.

Sir Hugh served in several Parliaments as member for the shire of Nairn ; and, like other commissioners to Parliament, he received an allowance for his expenses.<sup>2</sup>

<sup>1</sup> The “Cousin” Countess of Caithness, who congratulates him on his approaching marriage, is Mary of Argyll, married (1st) to George Sinclair, Earl of

Caithness, and after his death to (2d) John Campbell of Glenurchy, Earl of Caithness.

<sup>2</sup> On 29th April 1673, the heritors of

The manner and fashion of parliamentary life in Edinburgh may be in some degree gathered from the shop bills and accounts of expenses down to 1676, still preserved at Cawdor. Of the country occupations we may have some idea from the instructions written by Sir Hugh in 1677. He is then preparing for a visit to Isla; lime, timber, and all materials are to be got on the spot for building a mansion-house at Killarow, but the masons, skilled workmen, he is to bring himself from the Saxon coast.

The chief interest is in the cattle, the main produce of the island, but it is only to realize their value. No care is taken—it has not yet occurred as desirable or possible—to improve the breed. No directions are given for restricting the number according to pasture, or changing the stock by new blood. Somewhat more care is shown of the breed of horses. Long before this time, the Lairds of Glenurchy had introduced English or foreign horses for their great stud in Perthshire and Argyll, and the example was followed at Cawdor.<sup>1</sup> The Thane's young horse and the two colts, recommended to the particular care of the store-master, were evidently of a pedigree thought superior to the old breed of Isla.

The directions for preserving deer, rabbits, and

the shire of Nairn stent themselves for the allowance due to Sir Hugh Campbell of Calder, for his attendance and service as commissioner from the shire of Nairn, for the third session of the first Parliament, to which the Earl of Rothes was commissioner for His Majestie, and for the three by-past sessiones of the second and third current Parliament, to which

the Duke of Lauderdale was commissioner,—in all amounting to £1785.

<sup>1</sup> So early as 1638, Duncan Campbell, writing from Isla to his brother Colin of Galcantray, desires him to find some good horse for his mares, adding—"I wische to have, if you may, Cromertie's old Spanis hors, provyding he be of a reasonable pryce."

blackcocks—no mention of red grouse—and the collecting a few deer from Jura and Isla to be brought to Cawdor,<sup>1</sup> call our attention to the subject of game. Here the scene is in the west. Farther on, we have at Cawdor a notice of “buying moorfowl and tarmachans from Badenoch and Strathspey,” suggesting the strange suspicion that grouse were then not to be had, or not abundant on the hills of Cawdor. Moorfowl were bought also for Sir Hugh’s funeral banquet *in the end of March*. In truth, the common notion of the abundance of game, and of the whole occupants of our mountain ranges, in the olden time, is very mistaken. Sheep and wool are not mentioned in these papers; but we know, from similar authentic sources of information, that in countries where they were kept, they were in miserably small flocks, herded close to the dwelling of the owner. Black cattle, in like manner, were few and bad. In the eastern Highlands, the rents were seldom, or in small proportions, derived from them. It could not be otherwise. The mountains swarmed with foxes and wolves, and other cow-stealers more daring and skilful. Every clan was against its neighbour; and where there was any excuse of war, or popular rising, or faction fighting—and when was such excuse wanting?—the country was soon covered with marauders, to whom everything was law-

<sup>1</sup> It is for these red deer that the high wall was built round the green and the little park at Cawdor. When Sir Hugh went to “the Baths” in 1682, he ordered that great care should be taken during the building of the dykes, that none of the deer be lettin out of the parke, and that some one be appointed to wait upon

the great yeat to keep them in, and to let no beast in the park with the deer but the year-old stag alone (2d June 1682). There were eighteen or nineteen red-deer there in 1725, and there was still a park of red-deer in Lachlan Shaw’s time (1775).



ful booty, and that was preferred which could be moved off on its own legs.<sup>1</sup> The pasture, unused by sheep or cattle, ought to have maintained a multitude of deer; but it was not so. The deer being unprotected, killed out of season,<sup>2</sup> driven about and allowed no rest, were reduced exceedingly in number, and found only in the remotest fastnesses of the hills. No doubt the primary cause of the scarcity of deer was the state of the inhabitants of the Highlands, always on the verge of famine, and every few years suffering the horrors of actual starvation. The introduction of fire-arms seems to have added to the other causes of their decay, more than we should be prepared to believe. An Act of Parliament, so early as 1551, sets forth that "deer, roe, and wild beasts and wild fowl are clean exiled and banished by shooting with half-hag, culvering, and pistolat." But the confusions of the following century undoubtedly much increased the evil; and, at the end of that period, deer were to be found only in the great central forests of Perthshire, stretching from Aberdeenshire to Argyll, and in the wilds of the Sutherland peninsula.

Some of the documents of the latter part of Sir

<sup>1</sup> Sir Hugh describes the thing after the Revolution troubles in 1691, putting one in mind of the groan of an old Moray chronicler who had witnessed the harrying of the country and burning of the church by the Wolf of Bedenoch:—*In diebus illis non erat lex in Scotia, sed quilibet potentior minorem oppressit, et totum regnum fuit unum latrocinium. Homicidia, depredationes et incendia et cetera maleficia remanserunt impunita,*

*et justitia ullegata extra regni terminos exularit.*—*Regist. Episc. Mor.* p. 382.

<sup>2</sup> No close time was prescribed by our old laws for deer, though attempted to be enforced for other game. During some of the years of Sir Robert Gordon's tutory of the Earldom of Sutherland, 1615-30, meal and all food being scarce in spring at Dunrobin, deer were ordered to be killed for the use of the family in May, when they must have been mere carriou.—*Tutory Accounts, MS.*

Hugh's time are useful for domestic annals. Turn to a common business letter of 19th July 1677 :—The Thane has now been married fifteen years ; has a family growing up ; has served in Parliament ; has just returned from a visit to his western estates ; and is leading the life of a country gentleman and magistrate at the castle of his forefathers. The letter is addressed to his “ Loving friend,” and one whom northern barons liked to consider their loving friend—William Duff, merchant in Inverness. He was a man of very general dealings—large and small. He could take charge of a commission for groceries, or advance the price of a barony, on good security. He had formed extensive connexions, and was the first man in the north who dealt in money on a large scale, and he laid the foundation of a very noble fortune. Here his dealings are in various commodities. The Thane wants lead to cover his castle roof, bottles, and some very good water—better than brandy—table-cloths and napkins, capers, olives, and anchovies. His thoughts are on hospitality. But, as magistrate and head of the *posse comitatus*, he commissions fifty or three-score musket barrels, which he minds to stock and furnish at home. For the arms he requires ammunition ; but the season of the year puts him in mind that some of the same powder would serve for his “ fowler,” who required also shot,—one-half, of the size used for muirfowl, and the other, divided between very large shot for wild geese and roe, and pretty small, for plover and lesser fowls. The Lord of Cawdor had not yet dreamt of shooting his own game with a gun for sport.

Of the Lady of Cawdor we have not much under her own hand. From the days of Parliamentary life in Edinburgh, when the shop bills lead us to suppose her heart may have been set on lace pinnets and gowns of flowered brocade, and on ribbons for her children, we have her recalled in person only at long intervals by greetings and messages of kindness from neighbours. She may have been the directing head in all the buildings and furnishing of the Castle, but she nowhere appears. Perhaps she was no good pen-woman. There are a few household memoranda in her hand, and the only letter of hers preserved is one of housekeeping. She wants some chocolate for their own use, and, for the first time here, "one pound of true tea." But these commodities must be bought by one that has skill to choose them, for there is much chocolate that is reddish, a mixture of eggs, that she cannot abide. The finest is of a brown colour, and very pleasant to the taste. She signs her note in the simple old Scotch manner—H. Steuart.

The eldest boy has been entered at King's College, Aberdeen, is found abundantly capable of learning, and none in the class take up the propositions of geometry and niceties of logic more readily and easily. In a few years he is to go abroad with his tutor, and we shall find that he profited admirably well at Blois, and pressed, let us hope, successfully, to be allowed to go into Italy.

Two daughters, Margaret and Jean, are at Mistress Campbell's school in Edinburgh. They learn music from Mr. Chambers; Mrs. Margaret has had two quarters of the viol da gamba; a person whose name the Edinburgh

agent spells "Devo" is perhaps their French dancing-master ; and they had gone to a children's ball, which was censured. But they have other more solid accomplishments. The usual branches of a young lady's education are taught by the mistress herself, and accidentally we hear they have worked a cabinet for their father, in needlework doubtless ; and that they are learning the mysteries of pastry. Maggie is encouraged to take pains and to be an extraordinary player on the virginals by a promise of the best harpsichords that England can afford. Her father does not fancy the viol da gamba so much as the guitar or cithern. Her cousin, Lady Caithness, has a good opinion of her, and has already a project of a good match for her. The youngest girl, the pretty Mary—as pretty a child as I see anywhere—must have died early. We hear no more of her.

The Library at Cawdor of old must have been a dreary room. It must be confessed, the list of my Lady's books disappoints even more than Sir Hugh's. He has some great old names and weighty learning. The Lady's *Balm from Gilead*, and *Sighs from Hell*, are scarcely relieved by her Rutherford and Bunyan. One wonders which of the books the Thane applied to for his "divertisement." There is not a volume to remind one that they spoke the language of Bacon, Hooker, and Shakspeare, and were contemporary with Milton and Clarendon.

Next we turn to a document which shows us how a persecuting law was sometimes mitigated by the kindly charities of neighbours. A letter, a little before, telling

the news of Bothwell Brig, recalls to mind the state of the country. The Laird of Lethen was more than suspected of rank covenanting and haunting conventicles. The old man was summoned to Nairn to be examined ; but the Knight of Cawdor, a neighbour and gossip, in respect of his sickly condition, goes with his under-sheriff to take his deposition at his own house of Lethen ; and certainly with no wish to strain the law against him. The formal questions are put, and he depones that he haunted and knew of no field conventicles. But with regard to house conventicles, he admits that some outed ministers came to his house, and he and his wife and family joined in family exercise. The whole is taken down according to the letter of the odious law, but evidently made as light to the old man as the law would allow.

The contracts for building in Sir Hugh's time are again of much interest to the lovers and friends of the old castle,<sup>1</sup> but their meaning is not everywhere free from difficulty, and may be perhaps best read by supposing considerable departures from the plan in the course of its execution. It seems that the building is to cover exactly the same ground as formerly. It is only the superstructure that is to be altered,—the little tower being quite cast down, and supplied by the north-west angle of the present building (which very corner has some features of higher antiquity than can be reconciled with this account). The builders are to complete the whole work in the best and handsomest manner, so as

<sup>1</sup> Anno 1684, and anno 1699.

themselves may have credit and Sir Hugh satisfaction ; and it would seem that both parties were well satisfied. One part of Sir Hugh's repair, which is not doubtful, is where the masons contract to reduce the close to a square (into which the hall-door is to open), finishing it in some handsome order, with six or seven easy steps to lead down thereto ; in short, the little court, exactly as it stands at this day, distinguished by the coat armour of Sir Hugh Campbell and the Lady Henrietta Stewart, his spouse. It is, unfortunately, the one mistake of the castle. Possibly the situation was difficult, and required more architectural skill than James and John Nicolson brought to the undertaking.

The completion of the house internally was a work of time, and lasted even beyond Sir Hugh's long life.

The estimate of the expense for maintenance of the family is very valuable among our few materials for domestic economy.<sup>1</sup> It may be compared with that testament of the Countess of Argyll, and one of the murdered Thane, mentioned above.<sup>2</sup> -Unluckily, its date cannot be fixed with precision. The only part of the castle furniture at all curious, noticed in these documents, is the tapestry ; and the accounts concerning it are chiefly interesting as showing the manner in which such hangings were procured in Scotland, and their expense.

In 1704, Sir Hugh published an *Essay on the Lord's Prayer*. He wished that it should form a necessary part of the daily church-service of Scotland. His plead-

<sup>1</sup> See Appendix.

<sup>2</sup> Page 414, notes 2, 4.

ing was evaded by the Church Courts, and received coldly by the public, which stimulated him to more urgent appeals. Some sharp things were said and written on both sides, and at length, in 1709, Sir Hugh put forth a small volume of the correspondence, together with a new edition of his *Essay*, which produced little more effect than the first publication. One of Sir Hugh's letters (26th August 1707) is interesting. He had been twitted with lukewarmness for Presbytery, and even with that sin of sins, lapsarianism. The old man replied,—“Since ever I came to the age of a man, I made it my business to do every honest minister of the Gospel all the good offices and service that was in my power, as I could find occasion ; and God honoured me so much that I relieved many honest ministers out of prison, kept more from trouble, and to be an instrument to save the lives of severals who were pious, eminently pious and knowing beyond many of their brethren, such as Mr. William Guthrie, Mr. William Veitch, and several others ; and I can say I spared neither my pains nor what credit I had with any who governed the state, nor my fortune nor purse. I ventured these, and my office and life too, to save honest people, who walked according to their light, without flying to extremities, and taking arms against the King and Government ; so that all the time, from 1662 to the late Revolution, there was not one man payed a fine in the shire of Nairn, except two or three.”<sup>1</sup>

<sup>1</sup> A collection of letters relative to an *Essay upon the Lord's Prayer*, by Sir Hugh Campbell of Calder. Edinburgh, 1709, p. 126.

Among the heap of bills and accounts for the equipment of a family on the very verge of the Highlands, we seek in vain for anything of Highland dress, arms, ornaments. We have materials for describing the whole wardrobe of the Thane of Cawdor and his servants, but there are really no points of difference from the dress of the time in England or France. Sir Hugh, like his predecessors, wore a rapier, and, on occasion, doubtless a *couteau de chasse*. He had a dirk and a "by knife" for Highland expeditions, but we hear nothing of family tartans, and bonnets, and chieftain's plumes. He has quantities of gold and silver buttons, and hats laced with both metals, but no tailor sends in to the Thane of Cawder, Lord of Isla and Muckairn, a bill for making a kilt or philabeg; and among the various trifles of silver work we seek in vain for "Highland brooch" or ornaments such as now flame in London and Edinburgh shop windows as of the true ancient Highland fashion. The Scotch gentleman of that day was too near in place to the Celt, and perhaps not sufficiently removed in manners, to dress by him. The laird whose cows had been lifted over night was not in a humour to imitate the dress of the Mackintoshes or Macgregors. It is only when society has gone some way in refinement that the man of fashion can afford to ape the outlaw of the melodrame.<sup>1</sup>

<sup>1</sup> We find Tartan not once mentioned. In the only place where Plaids occur, the word means blankets or coverings for the night. It is not that Tartan was not made and worn; but that its style and pattern were no object of interest.

It is comparatively of late years that nice distinctions of checks have been studied, and peculiar patterns adopted by clans. This is one test for trying the truth of books and drawings of Highland antiquities.



We find little evidence of Sir Hugh's conduct or opinions at the Revolution. His family alliance and interest, as well as his religious leanings, and those of his wife, were all in favour of it. Like a large proportion of the Scotch gentry, however, he was opposed to the "Incorporating Union;" and we may conjecture that disgust with that unpopular measure, and some natural compunctions for the old family, whose faults were in part forgotten, induced him, on the Queen's death, to support the foolish rising of '15. His kinsman, Breadalbane, older than himself in years and worldly wisdom, may have influenced his conduct, and shown him the method of throwing his strength on the side which he yet did not openly support, and of escaping when that party was beaten. But it is vain to speculate upon motives where we have so few documents. Sir Hugh gave his grandson<sup>1</sup> authority to raise his followers, and to join Mar. It is very probable the abortive effort was

<sup>1</sup> Duncan, the eldest son of Sir Archibald of Clunes, who lived, in later life, sometimes at Delnies, sometimes at Clunes. He was a man of great intelligence, some accomplishment, with a dash of affected peevishness and caustic humour. Some of his letters to his neighbour Kilravock and his son are preserved at Kilravock. One short letter will show his style; it is probably written from Clunes:—

"To the Honourable the Laird of  
Kilraik, Kilraik House.

"DEAR SIR,—I send you the wrack of all my plumes, damsones, or bulasters, etc., in the pickle left by the prince of the power of the aire, who nicked the time, and blowed them down when betwixt hawk and buzzard, long a-ripening for want of sun and a proper climate or

soile, and begun to be demolished by frost and winter wether—a fine instance of the happiness of my Siberian situation. However, ye know *sans compliments*, you'd have them if better. If ye can amuse me by the reading of a newspaper, it will be charitable. Pray make my compliments agreeable to your lady, pretty daughters, Mons<sup>r</sup> Lewis, and the rest of your good company, Mr. M'Kenzie, etc., my acquaintances.—D. S., yours in the old manner tho still older,

"DUN. CAMPBELL.

"SIBERIA, *Novr. 2d.*

"When my tarsell is recovered of a cold, and fit for business, which, joined with my diligence in falconry, you'll say, will produce no rash or too hasty an operation, I'll acquaint you. Adieu."

at an end before the commission could be acted on ; but whether the commission had been executed or not, the family escaped all the penalties of rebellion.

On 11th March 1716, Sir Hugh died, seventy-seven years old, "the oldest that had had his place for a hundred years ;<sup>1</sup> and he was buried, not with his forefathers, but in the 'families new buriall place in the parish church built by Sir John, with a great funeral and funeral entertainment, and much drinking of claret and 'waters.'"

Ten years after Sir Hugh's death, occurs a report of the condition of the castle and whole property, all very valuable for the statistics of the district. The writer is Sir Archibald Campbell, Sir Hugh's second son, who held a large territory in wadset, and settled his own residence at Clunes, in the moor above Cawdor, showing great taste in the choice of situation, and in the laying out and planting the grounds, whereof something remains yet visible.

The bridge of Cawdor (over the burn), Sir Archibald reports, is of timber, and almost impassable, but can be repaired for forty or fifty shillings.

The mansion-house is in very good repair, wanting only lead for the platform of the roof over the library and charter-room. There are eighteen or nineteen red deer in the park close to the garden.

The tenants on the estate are numerous, and generally poor ; their houses, all of "faile."

The old wood of Cawdor, surrounded with a mason

<sup>1</sup> Letter to his Grandson.

dike three miles in circumference, is very thick, mostly of birch, alder, some young oak, and about 400 old oaks fit for sale or use.<sup>1</sup> Sir Archibald is very proud of his handsome young plantation, that is to extend over the village of Cawdor, which seems then to be called Campbelltown, and of the new garden, where all sorts of fruit grow that are in Scotland.<sup>2</sup>

Every notice of early planting or of gardening is valuable, but here they amount to very little. When the present proprietor succeeded,<sup>3</sup> the garden, though suffering under 150 years of non-residence, showed the remains of old careful tending—the trees and fruit bushes being of the time of Sir Hugh, or at latest of Sir Archibald. It is curious to mark the small and timid beginnings of planting. So late as 1722, the gardener sows an ounce of pinaster seed and a pound of acorns. In 1741, the planting of trees is counted and paid by the score ; and we need not be surprised that Sir Archibald takes credit for executing, at his own expense, a plantation “of all sorts,” which consisted of a few acres ; not the work of one winter’s day to the forester and his troop at Cawdor now.

Sir Hugh was the last of the family who made Cawdor his chief residence. His son’s marriage with the heiress of Stackpole, and that of his grandson with Mary Pryse of Gogirthen,<sup>4</sup> gave the family a greater

<sup>1</sup> Within a few years, 1100 oaks were sold from this wood.

<sup>2</sup> It was, no doubt, to make good this boast that there was bought at this time from William Millar at the Abbey, two peach-trees, and two nectarines.

<sup>3</sup> This was written before the lamented death of the first Earl of Cawdor.

<sup>4</sup> Communicated by the bridegroom to his uncle on the day of his marriage in the following letter—a model of succinct and business-like correspondence :—

interest in Wales than they had from all their estates in Scotland. The sale of Isla and their Argyllshire possessions still further weakened their connexion with the country of their forefathers. Nothing but the ancient Thanedom upon the Nairn remained. The passion for Scotch sport and the free life of Scotland had not yet arisen ; and, for a century and a half, the family of Cawdor resided in Wales, with only occasional visits to Scotland. For the greater part of that time, little care was bestowed on the old place, and no one thought of repairing the castle except to defend it from the weather. It thus happened that when quite lately—almost, it may be said, in the present generation—the interest revived for Cawdor and the life to be enjoyed there, the owners found it as it had been left by Sir Hugh ; and the right feeling of the present time has forbidden any change that would alter the character of the quaint, antique, charming old place. The tower which Thane William built round the hawthorn tree in 1454, stands, surrounded by buildings of all subsequent dates, down to the work trusted to the skill of the Nairn masons in 1699. The simple draw-bridge hangs as it has hung for centuries. The gardens and garden-walls, the row of limes to screen the east wind, are all as Sir Hugh left them, or perhaps made and planted them. The place is

“ SIR,—I was this morning married to Mrs. Pryse, a young lady of North Wales, who possesses in the highest degree every virtue and agreeable accomplishment that can make a person beloved and respected. Her fortune is a small estate in land among the Welsh highlands.

“ You will not expect me to add more at present, but that I am, Sir, your affectionate nephew and very humble servant,

J. CAMPBELL ”

“ LONDON, *April 30th*, 1726.”

unspoiled—not changed, but for the better. The burn pours its brown sparkling stream down its rocky channel as of yore. The air has the brisk freshness of the Highlands, while the sky is blue and bright as in more southern climates. The woods now wave over the grey castle with a luxuriance of shade which its old inhabitants never dreamt of. Above all, the country round, of old occupied by a half-starving people, lodged in houses of “faile,” disturbed by plundering neighbours, and ever and anon by the curse of civil war, is now cultivated by an active and thriving tenantry, with the comforts which increasing intelligence and wealth require and supply.

The “old wood” has recovered some severe usage. The scrubby birch and alder, described by Sir Archibald, has been in part removed ; and the wood of Cawdor, with its two romantic burns, joining above the castle, is now a piece of the most beautiful oak forest ground in Scotland.

The Cawdors of old buried at Barevan. The walls of the old church, except the east end, are still pretty entire,<sup>1</sup> though the dressed stones have been generally taken away.

There are many old grave-stones, and one row right across the church where the choir and nave joined ; but no inscriptions nor arms.

<sup>1</sup> The style is of the first pointed, without cusp. One window on the south of the choir is curious, from the top of the arches and of the mullion being formed of a single stone. It has been a double

lancet outside, and semi-circular arched inside. The dimensions of the church inside are about sixty-five feet by seventeen. There is a plain piscina under an arch at the south end of the altar-place.

PAPERS OF THE ROSES OF KILRAVOCK.

The history of the family of Kilravock, written by Mr. Hew Rose, parson of Nairn, in 1683-84, is a careful and generally very correct statement of the pedigree of the family, its intermarriages and cadets,—all as vouched by the family charter-chest. But there is little more. The author's views of his duty are gathered, from some hints for the continuation of his work. "If any public transaction be insert, let it be barelie the *res gesta*, without prejudicial or favourable comments, which at one time or other might prove hurtfull, in a nation seldome without faction." That principle, and his native caution, shut him out from all the interest of public events. The Reformation and the Great Rebellion are alike passed by or noticed "without comments." But we cannot so readily pardon him for passing his life in this treasury of family papers, where every scrap of writing was preserved, without one remark upon the condition of the people, the state of society, education, morals, industry, agriculture, food, and clothes—all which they seem calculated to illustrate. The world is now aware, as much as Sir Robert Walpole,<sup>1</sup> that historians are to be doubted, that State-papers, even Acts of Parliament, may deceive—may be coined for the purpose of deceiving. But these family documents, the private letters, the household accounts, the memoranda scratched in the leaf of an old

<sup>1</sup> It is Coxe who tells us of Horace Walpole, proposing to read History to his father, hoping to cheer him in sick-

ness: "Nay," said the old Premier, "don't read History to me, for that, I know, *must* be false!"

almanac, reach us without suspicion, and carry conviction about things as important to happiness as wars and treaties.

The reader must bear with the infliction of a very few lines of pedigree. The mere sound of the names teaches something of the population of a country.

The Bysets, of an Anglo-Norman family, were great lords in the north in the time of William the Lion, but the male line there had failed before the tragedy which overwhelmed their southern cousins.<sup>1</sup> They were the founders or great benefactors of the Priory of Beaulieu; and from some remaining charters of that monastery, together with the records of the bishopric, we learn something of their possessions and of their descendants. Sir John de Byset, lord of Lovat and Beaufort in the Aird, of Altyre in Moray, of Redcastle and Ardmanoch in the Black Isle, left three daughters his co-heirs. From Mary are descended the Frasers, of the Lovat branch of that name; Cecilia was the wife of a Fenton; and the third, Elizabeth, married Sir Andrew de Bosco,

<sup>1</sup> In 1242, Patrick Earl of Athol, of the highest blood and kindred of Scotland, and himself a gallant youth, after a great tournament at Haddington, was treacherously murdered, and the "palace" where he slept, in the west end of the High Street, was burned to conceal the manner of his death. The Bysets were generally believed to be the instigators of the murder, for an ancient feud between the houses, and suspicion fell especially on William de Byset, an officer of the Queen's household, and who had prevailed with the Queen to spend four days at his castle of Aboyne on her journey south from Moray, at

the very time when the Haddington tragedy happened. Byset had the support of both sovereigns, the Queen especially offering herself ready to make oath to his innocence; but the friends of the murdered earl were too powerful, and (perhaps) the proofs of guilt too strong. The southern Bysets were banished (*ex-legantur*), and obliged to take a vow to join the crusade, and never to return from the Holy Land. On this condition, apparently, they saved their lands and goods, or were allowed to dispose of them. They seem to have migrated to Ireland—*Quorum posteritas Hiberniam inhabitat usque nunc.*—Fordun, ix. 59-61.

bringing, as her portion apparently, Eddirdouer (or Red-castle) and lands in the Black Isle, including Culcowy, and the estate of Kilravock on the river Nairn. Of this last marriage there were several daughters and a son. Mary, one of the daughters, married Hugh de Rose of Geddes, and brought him as marriage portion the lands of Kilravock and Culcowy. This was about the end of the reign of Alexander III. Indeed, the first crown investiture of the young couple was from John Balliol, whose reign began in 1292.

The conveyancing—all the gifts, resignations, and discharges—which went to transfer the property from the Bysets and to give a secure title to the Roses, form a large parcel of titles affecting property, and make us personally acquainted with the proprietors of a great part of the Aird, Moray, and Ross, at the end of that period of peace and prosperity which embraced the whole thirteenth century. The parties and the witnesses to these transactions bear such names as De Byset, De Bosco, De Rose, De Graham, De Carrick (was he a Campbell?), De Stirling, De Lovel, Le Chen, De Fenton, De Rait. See how the land must have bristled with Norman and English spears from the sea to the mountains! Not a Celt, not a man called by a patronymic name, is an actor, or named in these deeds, except the great Earls of Ross, showing themselves occasionally out of their Highland fastnesses, whose names of Málcolm and Farquhar sound Gaelic.

Hugh de Rose, the husband of Mary de Bosco, was a Norman too, affecting knightly customs, and dressing by



the fashions of the Norman chivalry. From their first settlement, the family used for arms the *water bougets* of "De Roos," a very definite and peculiar cognizance used by all that name in England and Normandy. At a very early period, even before we have evidence of their lands being erected into a feudal barony, they took and were allowed the style of *Baron*, in a manner unusual in Scotland; and in the fifteenth century the family arms appear on the seals of successive lairds of Kilravock, circumscribed—SIGILLUM HUGONIS ROIS BARONIS—the only instance of the kind I have met with in Scotland.

The Roses, by an early marriage with Jonet Chisholm, the heiress of Cantray, and by subsequent acquisitions in Ross-shire and in the valley of the Findhorn, had very considerable territories for many generations. But they never were a leading family, nor were they ambitious of taking a prominent part in the country; and their papers would not have been worth giving to the world for any historical or public interest that attaches to them. They have, however, an interest of another kind. They were from the beginning careful of their muniments, and, later in their history, the charter-room in the old Tower (built in 1460) served as a place of safe deposit for neighbours' charter-chests as well as for their own.


It has thus happened that the lawyer finds there some of our earliest styles and forms of conveyancing. The extent of Kilravock and Geddes, the property of Hugh de Rose and Mariot his wife, in 1295, is the oldest extent of Scotch lands preserved, and was an object of

great interest to the learned lawyers of the last generation. The zealous Protestants of the north also looked to the charter-room with interest, in respect of a certain Papal Bull which was said to prove the Pope's sacrilegious granting of immunity for sin ;<sup>1</sup> and also as being the storehouse of the religious correspondence of the persecuted ministers with devout ladies of Kilravock and Lochloy for two generations during the troubles.

Without counting on such attractions, the papers collected at Kilravock give us the usual picture of those ages of violence and misrule, as they affected the rural population and the rural gentry. Fortunately they also show us in later times the marked though slow progress of civilisation. There is to be traced a gradual improvement in the means of life and the comforts of our people from the earliest time when we can draw any information about these matters, and it would seem that no period has been altogether stationary. The first half of the last century was perhaps the least favourable time for tracing such a progress. It was a period of commercial depression in Scotland, and of national despondency. Yet even during that time were silently introduced many of those small changes which are held unworthy the notice of great historians, but which tell more on the happiness of nations than dazzling political events. Let any one reflect on the change in comfort and actual happiness arising from the introduction, into the district we are

<sup>1</sup> The Bull is one of a common kind, granted in favour of the little chapel of the Roses at Geddes, bestowing on all

who should visit it at certain festivals, dispensation from a hundred days of enjoined penance.



concerned with, of potatoes, coals, tea, turnpike-roads, bank-notes, planting of timber, flower-gardening, the sports of shooting and angling !

With regard to the subjects—the centre-group of our canvas—one generation passes by after another of these peaceful Barons of Kilravock with scarcely a shade of variety in their individual characters. The revolutions of their country or the empire little affected them. Through changes of government and dynasty—amid Church schisms and Celtic rebellions—they held the even tenor of their way—keeping aloof from faction, shunning the crowd ; yet not merely vegetating, nor sunk in stupid indifference. They had gone beyond the secret of the old epicurean—

*“ Nunc veterum libris nunc somno et inertibus horis  
Ducere sollicitae jucunda obliviae vitae.”*

They had felt the charms of music, and solaced themselves with “ old books and old friends and old wine.” They enjoyed the society of a few neighbours ; did their duty to their people ; they had their garden to tend, the interest of their woods and fields, the sports of the moorland and the river. If these memorials of their peaceful lives record few events of stirring interest, or of a political or public character, they show more than has been hitherto known of the domestic life of our northern gentry, and mark a progress in cultivation and refinement in their rank fully keeping pace with the remarkable improvement in the physical condition of the commons.

Hugh, the seventh Baron, was the builder of the Tower, the oldest part of the existing mansion of Kilravock. In his time, the Earls of Ross were interposed between the Crown and its vassals in Nairnshire.

One of James I.'s first efforts for restoring civil government, after his return from his English captivity, was to ordain, that "everilk lorde hafande lands beyond the mownth, in the quhilk landis in aulde tymes thare was castells, fortalyces and maner places, big, reparel and reforme thar castells and maners, and dwell in thaim be thaim self or be ane of thare frends, for the gracious governall of their lands, be gude polising, and to expende the froyte of thair landis in the cuntre whare the lands lyis." Although we must not attribute too much efficacy to an old (Scotch) Act of Parliament, it is not a little remarkable what a number of Scotch castles date from the half century following that enactment: all of one design too—a stern, square keep, rudely kernellated and surmounted with a cap-house—partially surrounded by a barbican, the "barmkin" of the ensuing charter—affording protection to the inhabitants and their cattle from the hurried inroads of rough-handed neighbours. The Barons of Kilravock obeyed the statute in its fullest intendment. They built their fortalice and manor place, and, for four hundred years, continued to dwell in it "for the gracious governall of their lands by good polising." The "licence to big a toure of fens" runs thus:—

"Johne of Yle, Erle of Ross ande lord of the Ilis, to all ande sundry to quhais knowlage thir our present letteris sall come greting, witte vs to haue gevyn ande

grantit, and be thir present letteris gevis ande grantis, our full power ande licence till our luffid cosing, man ande tennand, Huchone de Roos, baron of Kylravok, to fund, big, ande vpmak a toure of fens, with barmkin ande bataling, wpon quhat place of strynth him best likis, within the barony of Kilrawok, without ony contraditioun or demavnd, questioun, or ony obiection to put in contrar of him or his ayris, be vs or our ayris, for the said toure ande barmkyn making, with the bataling, now or in tyme to cum. In witnes hereof, ve haf gert our sele to ther letteris be affixt at Inuernys, the achtend day of Februar, the yer of Godd a thousand four hundreth sixte yer."


Writing of Hugh, the ninth in descent from Hugh de Rose and Mary de Bosco, the family historian tells of his warding in the castle of Dumbarton for having seized and imprisoned at Kilravock, William Galbraith, Abbot of Kinloss, when passing from Avoch in Ross to his abbey. We know nothing of the story, and need not at once condemn the Baron for assailing the man of peace. There is no violence alleged beyond detention, even by the Abbey chronicler. We may hope the imprisonment of the Abbot was in the hall, not in the dungeon. The Baron assuredly had a long imprisonment in the king's prison, where he had to pay a "board" to the keeper; and the discharges of Sir George Stirling of Glorat, "capitane of the castle of Dumbartane," are carefully treasured at Kilravock. While in durance, the poor captive's thoughts had turned to his own tower, and he found occupation in making

plans for his gardens on the banks of the Nairn. He procured the services of a gardener, a burgess of Paisley, who had perhaps learnt the gentle craft in the Abbey gardens, and who entered into a very formal contract, after this manner :—

At the Castell of Dumberton, 11 June 1536.—Thom Daueson and ane servand man with him is comyn man and servand for all his life to the said Huchon (Hugh Rose), and sall werk and lawbour his yardis, gardingis, orchardis, ayles, heggings, and stankis, and all werkis pertening to ane gardner to do, of the best fassoun may be devisit. He and his man are to have such wages as may sustene them honestlye, as use is to be gevin for sic craftis-men.

The tenth person of our pedigree is known traditionally at Kilravock as the Black Baron. Here is what the family historian writes of him :—

“ He had seventeen sisters and daughters, all whose portions, mediately or immediatly, he payed, though there verie portions were a considerable debt. He lived in a verie divided, factious tyme, there falling out then great revolutions in Church and State ; Religion changed from Poperie to Protestant, and the Queen layed aside, liveing in exile ; yet such was his even, ingenuious, prudentiall cariage, that he wanted not respect from the most eminent of all the parties, as may, in part, be gathered from the short accompts above sett down. He hade troubles from neighbours, which he patientlie caried, and yet knew how discreetlie to resent them, as appears, that




a debate being betwixt him and two neighbours, he subscribed— Huchean Rose of Kilravock, ane honest man, ill guided betwixt them both. This was *Ridentem dicere verum.*"

But this is not enough. The Black Baron must have been a remarkable character. It will be observed he was at the head of the estate for more than half a century. In the days of his hot blood he fought at Pinkiecleugh, and had to pay a ransom to his captors.<sup>1</sup> After that, he is in no more scrapes. Every year then produced a revolution in state ; and in the midst of his time came the great revolution of all—the Reformation. All public men were subjected to reverses unprecedented, but the Baron of Kilravock remained unmoved. It is impossible to tell what sentiments he entertained, what party he adhered to ; and yet no party attacks him. He was not a mere rustic laird, but a baron, as we shall see, of power and extensive connexions. We generally know a man by his associates. If we find plenty of letters addressed to him, we count on knowing his sentiments ; but the Black Baron corresponded with all the leaders of the nation, in all its different phases, and he kept all his correspondence. He lived through the clashing factions of the Lords of the Congregation, and the adherents of the old religion. He saw Mary return to her native kingdom amidst universal joy. He witnessed her marriage with Darnley, and her last marriage ; her imprisonment, deposition, escape, her

<sup>1</sup> The captors were John Ker of Werk and two Johnstons ; the ransom 100 angels ; the cautioners were Pringles of

Smailholme, Torwoodlee, and Wowhousebyres. The Baron's bond of relief and their discharge are both preserved.

English detention, and her judicial murder. He lived under the Regents Moray, Lennox, and Morton, successively assassinated and executed. His own country and immediate neighbourhood were especially subject to continual convulsions, as Huntly or Moray, the Queen's party or the King's, obtained the ascendancy—not to mention the usual elements of native disturbance on the Highland border; yet, through all, he lived in peace, attending to his own affairs. He married his sisters and daughters, and built a manor-place beside his narrow old tower. He settled amicably several complicated lines of marches with his neighbours, while Parliament was settling the Reformation. He received friendly communications almost at the same time, from the leaders of the opposite factions, while themselves at open war, and raising the country to fight at Corrichie or Langside. He was justice-depute of the north under Argyll; sheriff-principall of Inverness and constable of its castle by commission from Mary and Darnley; a trusted friend and commissioner for James Earl of Moray, the Regent, and his widow, Dame Annas Keith. We find no taunts against him for lapsarian opinions; no suspicion that he was of "the Vicar of Bray's" political creed. He seems to have had none. Each party reposed confidence in him, and employed him in the administration of his own district; and in the enormous mass of letters and other documents serving to illustrate his life, we find no information whether the Black Baron was Catholic or Covenanting,—for the Queen or for the King. He survived all those factions, and lived to be





summoned by the King to Parliament (1593), when the royal scribe, having addressed him as "*Traist Cousing*"—the allocution of nobility—the error is inartificially corrected by dashing the pen through *Cousing*, and substituting *Friend*.

I will venture to give the historian's account of the next baron and his wife, his own grandfather and grandmother. He has now the advantage of speaking as an eye-witness :—

"This William Rose of Kilravock was a good and inoffensive man, a lover of peace, one that desired to trouble none, though he was troubled by others. That one trouble with the name of Dunbar, included manie troubles, though he was no ways accessorie to the illegalities of some of his kinsmen which procured it ; yet as to that and anie other troubles, he was *patiendò victor*, God carying him out, though in the way of suffering. He was low of stature ; his hair and beard betwext red and yellow, and himself of a fair complexion. Sitting in his chair within the hall of Kilravock, he was taken with ane apoplexie, and after ane years languishing, died in peace, Aprile 8, 1611, aged 66 years, having survived his father but fourteen years, and lived after his marriage 40 years, or thereby." Next is his wife :—

"This Liliass Hay, Ladie Kilravock, was a daughter of the familie of Delgatie, somtyme verie considerable barrons. She was (as I gather) grand aunt to that Sir William Hay of Delgatie, in whom the family was extinct. He was apprehended, executed, and buried, with James Marques of Montross ; and in the year 1661,

by order of King and Parliament, taken up with him and reburied, with great magnificence and splendor at the publick charge.

“ This Lilius Hay was a woman of a masculine active spirit. She was a mother of good children, and a mother good to her children, keeping somtyms two or mor of her younger sons and their families with her, and yet did good offices to her eldest son and the familie, living with all hospitalitie and fullie. Her stature tall and straight. Her hair full black, yet she of a fair and lovelie countenance. She lived till eightie years of age, retaining perfectlie her judgment, memorie, and senses ; her eye being so sharp, that a little before her death, she could read the smallest letter without the help of glasses. Her health, notwithstanding of her long lyfe, was broken—she professing in her last sickness, that though she hade lived so manie years, she never had one fourthnights health sound together. She dyed about the last of Aprile 1632, having lived 21 years a widow (though she had considerable suiters), and after her mariage 61 years.”

Take as a last specimen of Master Hew Rose's style, as well as a fair enough representation of the manner of man of those Kilravock barons, our author's summing up of the character of Hugh, the twelfth Baron, 1611-43 :

“ This Hugh Rose of Kilravock was a person of great reach and solid judgement, though certainly he could not have bein but considerable greater, if holpen by ane exacter education. He was a person dexterous, and of good success in reconciling diffiers betwixt friends

and neighbours, though he was no officious pragmatick medler. He was provident and frugall, given to hospitalitie, friends and strangers being kindlie entertained at his house ; nay som of the best qualitie would com to it, leaving their emulations, without jealousing or being offended at his kindnes shewn to others they were not in good understanding with, his hous being as a comon Inns where all were welcome. When I consider his great hospitalitie (whereof when I was a boy I was partlie ane eye witnes), I must rather referr it to his frugalitie and good management, then to the greatnes of his fortune, which it exceeded. Though he had but one sone, yet was he a father to manie of the younger amongst his relations, keeping diverse of them in his familie, and a person to teach them. He would also, when they were grown up to som years of discretion, take them apart and give them verie sound advise, acquainting them with busines, and how they should behave themselvs when they stept upon the stage of the world. He was of good stature and a square bodie, infirm and somewhat paralytick in the whole right syde, but verie strong in the other. For his garb, it was decent, and yet but homlie. He so attended his affairs, that he was never in Edinburgh but once in all his lyfe. He shunned all pleas of law. A friend of his wrot to him (though he was a lawier himself), that such as went to law had gott their mothers malison."

Of the thirteenth Baron, who died comparatively young, in 1649, the historian records that "he was very skillful in musick, both vocall and organicall."

With the accession of the fourteenth Baron, Mr. Hew, the historian, finishes his chronicle. He quotes some verses of Seneca giving the preference to solitude and a private life over greatness and the Court, ending with "these notable verses in Thyeste"—

" Stet quicunque volet potens  
Aulae culmine lubrico;  
Me dulcis saturet quies," etc.

"Which," he says, "are so well paraphrased in English by the learned Judge Hale that I shall set them down, tho I think the translation (tho very noble) short of the neat and significant conciseness of the originall." Partaking in his admiration of the English paraphrase, and believing it to be little known, I am induced to print these verses, as singularly applicable to my present subject :—

" Let him that will, ascend the tottering seat  
Of courtly grandeur, and become as great  
As are his mounting wishes. As for me,  
Let sweet repose and rest my portion be.  
Give me some mean, obscure recess, a sphere  
Out of the road of business, and the fear  
Of falling lower, where I sweetly may  
My self and dear retirement still enjoy.  
Let not my lyfe or name be known unto  
The grandees of the tyme, tossed to and fro  
With censure and applause; but let my age  
Slyde gentlie by, not overthwart the stage  
Of public actions; unheard, unseen,  
And unconcerned as I ne'er had been.  
And thus, when I have passed my silent days  
In shadie privacie, free from the noise  
And bustle of the world, then shall I  
A good old innocent plebeian dy."

Hugh Rose, the fourteenth Baron succeeded, an infant, in 1649. From the minute accounts of his tutor, we are able to trace him through his whole education,—at Elgin, “in the house of Mr. George Cumming, merchant and burgess”—at Kilravock—at the parish school of Aldearn. We learn the prices of his clothes—the serge for his cassock, doublet, and stockings, with eight ells of green and scarlet ribbon—the plaiding to be him hois, the boy’s blue bonnet, the expense of his books, the “rudiment with little authors,” the “parts of grammar,” his spurs and gloves, his knives.


In 1656, he went with Mr. William Geddes, his pedagogue formerly, now his “governour,” to King’s College, Aberdeen. We have again minute accounts of his expenses both for journeys and college residence. His books are now Horace, Virgil, Juvenal, and Persius, Buchanan’s Psalms, the Confession of Faith. He has a four-tailed coat and a hat, riding-gear, and there is a charge “for dressing the laird’s bow.” During the same period, his sister Magdalen’s account for dress included “Scottis tabbie,” French searge, silver lace, silver and silk ribbons, lupin, etc., and there is an item of thirty shillings “for making Mistress Magdalene’s ryding clothes.” On leaving college, the young Baron contributed 216 merks for the “new work,” and obtained in return a right to “that chamber in the new work in the fyft storie hight thair of, upon the north side of the said new work, with the studie or musee belonging thereto.”

Shaw, the historian of Moray, taking up the discourse of Mr. Hew Rose, tells us of this Baron that he was “a

gentleman of a social and peaceable disposition. Though he lived in the reigns of two royal brothers, when hot debates in the Church, and violent attempts in the State to establish an absolute and despotick government, brought about the Revolution, he concerned himself with none of those measures, and lived in the closest friendship with all his neighbours."

Of his wife, Margaret Innes (married 1662, died 1676), the same historian records that she was "a woman of great prudence and eminent piety. Amidst the severities on account of religion in her day, and practised against those of her sentiments and persuasion, she behaved with moderation and prudence, maintained her principles with unshaken firmness, protected and relieved the distressed as she had opportunity, and yet disturbed not the public peace, nor gave umbrage to the civil government."

Of this time we have proclamations of Privy-Council against Conventicles, and other evidence of disaffection and persecution. Now, too, I find in the Kilravock collection a mass of correspondence of a remarkable nature. Some of the letters are addressed to "My Ladie Muirtown ;" some to "the much honoured and his verie much respected lady, the Lady Park, these." Others are without address, probably written to the Lady Kilravock. Most are without the name of the writer, subscribed sometimes, "ye know the hand ;" "yours to power ;" "read and burn," with a cipher (L. D.) which seems to stand for Lillias Dunbar ; "your reall and constant sympathizer in all your sufferings for Chryst."



Some subscribe their initials ; others boldly affix their name—"J. Fraser ;" "J. Nimmo ;" "Thomas Ross." There are those still living who cherish the memory of the persecuted religionists of that day ; and by the help of one old man but lately dead, who venerated them as the saints and the martyrs of a cause that may slumber but can never die, it might have been possible to identify the writing of these letters, and to trace the history of their authors. But, after some hesitation, I did not judge it right to use those remarkable documents here. They are, for the most part, unconnected with worldly affairs ; dealing with the excited feelings of religion in the breast of the writer and his correspondent ; mixing unduly, as we are now agreed—but not irreverently—scripture language, sacred things and dread mysteries, with the petty personal concerns of the writer ; instinct above all with a high and burning piety, and a recognition of the immediate presence and prompting of the Deity, which, as they are not now admitted into familiar letters or conversation, might expose to sneering and ridicule feelings which all must respect, however we may differ as to their outward shape and dress.


Of the fifteenth baron, the Rev. Lachlan Shaw tells us that he was born at Innes in January 1663, and thus gives his character and one scene of his life :—

" Having had his education in times of licentiousness and of arbitrary government, he was in his younger years not a little biassed in favour of the high prerogatives of the Crown, and the indefeasible right of the House of Stuart. But, thereafter, upon a more ripe and deliberate

thought, he was convinced of the reasonableness, yea, and the necessity of the Revolution, in order to preserve both religion and liberty, and justly to ballance the power of the Sovereign and the liberty of the subject.

“ When, in the year 1705, the Treaty of Union was set on foot, Kilravock was a member of that Parliament, and was so attached to the independency and sovereignty of his native countrie, that he could not be brought to agree to an incorporating Union, but joined that party who stood for a federal one ; and accordingly he was one of those 82 members who voted against incorporating the two kingdoms into one. Yet in this he was not influenced by a regard to the proscribed family of Stuart ; for, at the same time that he reasoned and voted against the proposed Union, he heartily declared and voted for the Protestant Succession in the family of Hanover, well knowing that without this neither religion *nor* liberty could be preserved. And when the Union was concluded, he was named by *that* Parliament one of the Commissioners that should represent Scotland in the first Parliament of Great Britain.

“ As he thus declared openly for the Protestant Succession, he stood firm and unshaken in his attachment to, and appearances for it ; in so much, that when after the accession of King George, a rebellion against the Government broke out in Autumn 1715, and some neighbouring clans, as the MacIntosh's, Mackenzies, Frasers, etc., took arms and prepared to join the Earl of Mar's standard, Kilravock stood firm in his loyalty to his Majesty, and against Popery and arbitrary power. He





armed a select number of above 200 of his clan, and preserved the peace of that part of the country. His house of Kilravock was a sanctuary to all who dreaded any harm from the enemy, and was so well garrisoned, that tho' the Highlanders made an attack on some other houses, they thought it safest to offer him no disturbance. When the Highlanders had marched south, they left a garrison in the town and castle of Inverness, commanded by Sir John Makenzie of Coul (son-in-law of Kilravock) as Governour. This garrison was a check upon the friends of the Government, and stopped the communication betwixt those of Murray and those of Ross and Sutherland, while it opened a free passage for the enemy to and from the south. Kilravock concerted with John Forbes of Culloden, and with Simon Lord Lovat, who had arrived in the country in the end of October, how to remove that garrison, and to reduce the town, and, with a body of his clan, joined by some of Culloden's men, Kilravock blocked up all the avenues to the town of Inverness on the east side of the river, as some of the Frasers did on the west side. His blockade would have soon forced and starved the enemy into a surrender ; but, impatient of such delays, Arthur Rose,<sup>1</sup> brother to Kilravock, a gentleman of a resolute and daring spirit, proposed to seize the garrison, in the Tolbooth of the town, by stratagem. For this end, he chose a small party of his brother's men, commanded by Robert Rose, son of Blackhills, and, in the night of the 12<sup>th</sup> of Novem-

<sup>1</sup> This was the poor fellow who a few years before had been taken by Algerine pirates, and had but lately been ran-

somed. He came home in a Turkish dress, and is painted in it at Kilravock.

ber 1715, proceeded so far as to enter into the vestibule, on the top of the lower stair. Here, a fellow whom he had for his guide, and who being well known to the men in garrison, promised to get the door opened, called to them to open. They opened the door, and the villain entering, and Arthur Rose close after him with a drawn sword and pistol, he treacherously cried out, An enemy! an enemy! Upon this the guard crowded to the door, shot Mr. Rose through the body with a pair of balls, and so squeezed and crushed his body betwixt the door and the stone wall, that he could not have lived, although he had not received the shot. His own friends carried him off, and he died in a few hours, in the house of Mistress Thomson, in Inverness. This fatal end of a brave and beloved brother provoked Kilravock so much, that he sent a message to the Magistrates of the town and to Sir John Mackenzie, requiring them either to surrender the town and castle, or to evacuate both of the garrisons kept in them, otherwise he would lay the whole town in ashes. The Magistrates and Governour, knowing Kilravock's resolute spirit, and fearing his resentment, brought all the boats they could find up to the Bridge, and, under the covert of the night (November 13) the Mackenzies evacuated the town and castle, and silently passed over to the Ross side. Then Kilravock entered the town, took possession of the castle and Tolbooth, and placed a garrison in them, and was soon after joined by a body of the Frasers, and a battalion of the Grants from Strathspey. Thus was the recovery of that town (which is the key of the Highlands) out of the hands of the enemies of

the Government, wholly owing to Kilravock, although others, in a pamphlet soon after, assumed the praise of it. And 'tis observable that this town was reduced by Kilravock on the 13 day of November, the same day on which the battle of Sherifmuir was fought, and on which the rebels in the town of Preston in England surrendered. After this, until the rebellion was fully quelled, Kilravock kept his men in arms, and secured the peace of the countrie around him.

“From that time Kilravock chose to lead a private life, and to take no share in public affairs.”

One of this Baron's daughters, Mistress Margaret, was sent to Mistress Stratoun's boarding-school at Edinburgh in 1688-89. The range of education and accomplishment is not very high. The board is £60 (Scots) ; the young lady pays besides for dancing, singing, and playing on the virginals ; writing, satin seam—which seems to have been kept under a glass—and wax fruits. Nothing for any foreign language. All besides it is hoped Mrs. Stratoun took charge of in person. The girl was married in January 1701 to the young laird of Coul. The account for her marriage finery—floured silk, white Persian taffety, India satin, floured muslin and lace for combing cloth, a mask, a paper of patches—is, for the first time, stated in sterling money, and amounts to £55.

I must pass by the minute accounts of housekeeping—importation of wine, coals, tea, an expensive luxury—some improvements in domestic comfort, incidental information of the manner of dress and travelling ; but I

must not omit that the Baron planted 2000 ash trees in Coulmony, and 1000 in Geddes; and I should give an imperfect notion of the social life of the period, if I did not mention that this gentleman, who deserved the character Shaw gives him, and who was habitually sober, indulged in drinking-bouts, often in the village alehouse, which make men of these degenerate days gasp to read of.<sup>1</sup>

We do not learn when the foundation of a library was laid at Kilravock, but it is in this laird's time we find the first accounts of its increase. There are lists of more than 400 volumes added between 1726 and 1728—mostly classics—from London, from Edinburgh; but some whose prices, marked in guilders and stivers, show they came from Holland, where the laird's grandson was studying law, as became a Scotch gentleman in those days. It must be owned there is no undue preponderance of law books, but there are many fine classics, and some specimens which still delight the eye that kindles at the imprint of a Stephanus or Aldus.

From 1720 to 1730, there are more of those accounts of girls' school expenses, which have a singular

<sup>1</sup> One at the alehouse of the village of Findhorn is thus charged:—

Bill for Kilraick and Colonell Rose, from Tuesday, 12 o'clock, till

Thursday, 7 o'clock, afternoon:—

Tuesday, for 23 botles wine, at 1s. 6d. each bottle, . . .	£1 14 6
Wednesday, for 26 botles, . . . . .	1 19 0
Thursday, for 8 botles, . . . . .	0 12 0
To 5 d's sugar, . . . . .	0 5 0
To 8 pints eall, . . . . .	0 1 4
To eating, . . . . .	0 5 0
To 2 gills Brandie, . . . . .	0 0 6
To two servants eating, . . . . .	0 3 0
To their drink, 12 pints eall, . . . . .	0 2 0

30 January 1728.

£4 17 9

kind of interest at the distance of a century, when the girl whose childish ball or first play is there recorded, can now be barely remembered, or handed down in tradition, as the grandam of the chimney-corner, of whom it was never suspected that she had "worn a visor and could tell a tale" of youth and gaiety.<sup>1</sup>

Our guide, Mr. Shaw, excuses himself from giving a character of the sixteenth baron, who lived in his own time, and who was evidently a personal friend. He was no doubt a worthy Baron, and some of his letters show sense and wit. In 1734, he was returned to Parliament for Ross-shire—it is Mr. Shaw who speaks—and he could have been elected again at the beginning of next Parliament, "yet he preferred the pleasures of a private countrie life, before the noise and fatigue of a court and public business." "His house at Nairn being a convenient winter lodging, he has built a house at Coulmonie, upon the banks of the river Findhorn, and has so beautified that place, with enclosing, planting, building, and other improvements, as to make it a delightful retirement in the summer season. His lady has brought him a beautiful family of children," etc.

Leaving even the sylvan beauties of Coulmony for the present, I must carry the reader to the old castle of Kilravock, where "Geddes" had established himself on his marriage in 1739.


<sup>1</sup> "An Account of what was laid out for Miss Jenny Rose (the young Laird's daughter) since December 1722," gives such entries as—"Mr. Lees and his man;" "Mr. Edward and his man;" "For entering to learn French, 2s. 6d.;"

"to Mr. Lees and the musick, 3s.;" "sent to Edinburgh for a hoop, 10s. 6d.;" "At a practising, 6d." (this item occurs often); "for a fan and knittens, 6d.;" "For seeing a play, 6d.!"

The wife of the young Baron was Elizabeth Clephane, daughter of Colonel William Clephane, a soldier of fortune, who at his death left his family without other provision than a good education bestowed on one son, a pair of colours in the Dutch service on another, and to all, excellent sense, and a strong feeling of gentle blood, no whit subdued by lowered fortunes. Among the papers of her brothers are notes of their pedigree, asserting a descent on the father's side from Clephane of Carslogie, Strachan of Bowssie, Strachan of Carmylie, and more remotely from the noble families of Panmure, Airlie, and Forbes; while on the side of their mother, Elizabeth Cramond, daughter of Mr. James Cramond, "a priest of the Episcopal Church of Scotland," they claimed descent from Cramond of Balhall, Cramond of Auldbar, Ramsay of Bamf, Simmer of Balyordie, and Strachan of Bridgetown. No school learning was wasted on the Colonel's daughter. "Betty Clephane" wrote a bad hand, and spelt so abominably that it is vain to imitate her manner. But she never fails in sense or feeling.

The friends in the North country with whom Miss Clephane resided were the family of Sutherland, and it was probably at Dunrobin that the young Laird of Kilravock lost his liberty. Between his bride and the Countess of Sutherland there existed a warm friendship, expressed on one side in letters of the exaggerated tone of sentiment which was then coming into fashion among young women.

I must not omit one stationary member of the family circle at Kilravock at that time. Lewis, the brother of



Geddes—"Mr. Lewis," as he was commonly called—after feebly attempting to get into business at Bordeaux, lived for a long life at Kilravock, as the kind and ever ready "Will Wimble," the companion of sport, the home-keeper when others went abroad, the general man of accounts and factotum of an indolent family.

In 1742, the young people spent the winter in Edinburgh, and we find among the expenses a bill for "the price of a chariot, £20 sterling." Their summer and usual residence was Kilravock, where the young Laird occupied himself with his books and music, or joined his father in his favourite employments of planting and making gardens. Falconry had long been a favourite recreation at Kilravock. The hawk's feeding-stone and perch is still on the green ; but both father and son were smitten also with the new taste for simpler sport, whether on moor and field, or on the streams, that give life and beauty to their dwellings of Coulmony and Kilravock. In these occupations, quiet in the midst of their families, they were found by the storm which swept Scotland in 1745, and the following year.

When Prince Charles Edward rode out from Inverness eastward, to support his party retiring from the fords of Spey before Cumberland's army, he stopped at the Castle of Kilravock, and was received there with becoming respect. He made himself very agreeable, asked to see the children, kissed each of them, and praised their beauty. Observing a violin, he inquired if the Laird played, begged a tune, and of course was pleased ; walked out with the Laird to see his planting

operations. "How happy are you, Mr. Rose," said he, "who can enjoy these peaceful occupations when the country round is so disturbed!" That was on Monday the 14th of April. The following day was the Duke of Cumberland's birth-day, and he spent it at Kilravock, and lay there that night. He remarked, "You have had *my cousin* here!" But when the Laird would have apologized for entertaining him, on the ground that he had no means of resistance, the Duke stopped him, and said he had done quite right—that he could not refuse to receive Charles Edward, and receiving him, he must treat him as a Prince. Next day the "cousins" met at Culloden! Such is the tradition of the house.

We know from Shaw the feeling of the family in the great struggle; but, except a few printed broadsides, marking the passing military events, and an "account of forage taken for the use of His Majesty's troops"—rendered, on oath of the tenants, "by order of his Excellency General Hawley," amounting to £70, dated 3d May 1746—we find no records of martial doings of the Barons of Kilravock. In their connexion with their burgh of Nairn—the Baron was then provost of the burgh—they thought proper to make a little more demonstration of Whig feeling. A drinking cup of cocoa-nut, set in silver, still preserved at Kilravock, has the following inscription:—

THIS CUP BELONGS TO THE PROVOST OF NAIRN, 1746,  
THE YEAR OF OUR DELIVERANCE. A BUMPER TO THE  
DUKE OF CUMBERLAND!

Of peaceful memorials, we find long and careful lists



of fruit-trees for the remodelling of the castle garden. The pears and plums are almost all of French names and kinds, and apparently suggested by the works on gardening of De la Quintinaye. There are a great many cherries and peaches, two nectarines, two apricots, a fig, and a vine ; only seven sorts of apples, among which is not found the Oslin, the earliest of all, and the favourite of after generations at Kilravock. There are accounts, too, for repairs of Kilravock, and for "new rooms" to the house of Coulmony, and a "drawing-room" at Nairn—all the accompaniments of peace and increasing families.

Hugh Rose, the seventeenth Baron, known during his father's life as "Geddes," had the sweet temper, and the half-constitutional, half-philosophic indolence of his race. He was not given to writing letters, but he was so genial in society and so beloved, that others wrote to him without much hope of repayment. From a large body of such one-sided correspondence, I have formed my notion of his manner of life and his character. He was a good classical scholar, especially critical in Greek ; was consulted constantly by Professor Moor of Glasgow, while editing his great edition of Homer, and received many letters crowded with affected learning, ancient and modern, from Professor Blackwell of Aberdeen. Perhaps it was to please his daughter that he said—as she mentions in one of her letters—that in several passages Pope exceeded Homer, that in the similes he excelled,—and throughout, "the soul of the little bodie," as he phrased it, "seemed to have catched the fire of the

original." I have before me one sheet of paper which seems to me to embody the character of the man. It is a letter from Brodie, the Lord Lion, M.P. for Moray, merely announcing that he was summoned by Mr. Pelham to attend the choosing of the Speaker. It is written on a sheet of large office paper, and Geddes has made its ample space his scroll-book for a literary effort that was then to be made, and which gave him much unrest. The sheriffship of Ross had been almost hereditary in the family of Kilravock, since its erection into a separate jurisdiction in the seventeenth century; but on the abolition of heritable jurisdictions in 1746, there was a change of circumstances, and the office was to be asked—a dire subject of contemplation for Geddes. The Lion's foolscap sheet is quite filled with sketches of proposed letters addressed to great friends, in the stiffest style, and written with unconcealed reluctance, to solicit the sheriffship—mixed with little scraps of Greek, written scholarly, with the accents, of which two lines of the Odyssey, with a new termination, form the only complete sentence—

Μηδέ τι μ' αἰδόμενος μιλίσσεο μηδ' ἐλεαίρων,  
'Αλλ' εὖ μοι κατάλεξον, τὸ δὲ φράζεσθαι ἄνωγα.

It is satisfactory to know that his irksome labour was not in vain. His Majesty was pleased to appoint Hugh Rose of Geddes to be sheriff-depute of Ross and Cromarty, with a salary of £250, *burdened with the salaries of his substitutes.*

The taste for books was scarcely more hereditary at Kilravock than music. Geddes was an enthusiastic


musician. His daughter remembered of him—"my delight was to stand behind his chair, and turn the leaves of Pergolesi's *Stabat Mater*, or the *Passione* of Jomelli, while he played the symphonies and the prettiest passages in the songs to me, showed me the various cliffs, the niceties in time, the difference of keys," etc.

Out of doors, the Baron had occupations as engrossing. His planting, it is true, was on a small scale, as well as his reclaiming of waste land. The taste and knowledge were still in their infancy ; but while he gave sparingly of money and labour, he never grudged his own time. His note-books show constant personal superintendence of his work-people, and the greatest care in selection of trees for his orchard and garden, guided by the works of Philip Miller and De la Quintinaye. Then he had a "Mr. May" to teach him the new husbandry ; and some faint attempts were made to introduce sown grass, and even red clover—by way of experiment.

His wife does not seem to have been accomplished, but she was most amiable. It was an old practice at Kilravock to take into the house and educate some young kinsmen who required such support. Betty Clephane extended the benevolence in the direction of cousins of her own, gentle born, like herself, but not endowed with world's goods. Some lads so brought up by her with her own children, and never suffered to feel the pain of dependence, thrived in the world, and lived to show their gratitude to their second mother and her children.

The happy household of Kilravock sometimes included the lady's two brothers, but more frequently only the soldier. The doctor was too much occupied to spend much time at his sister's northern castle. A word or two of those brothers :—

John Clephane, after studying under Boerhaave, and taking his medical degree at Leyden, supported himself like so many Scotchmen then, by travelling as tutor with young men of rank and fortune. He formed an extensive acquaintance with men of science and literature, both in England and on the Continent. That, he may have owed to the luck of being well introduced. But the impression he made, the friendships he secured and kept through life, the general esteem with which he was regarded, show him to have been no common man. He was, first, tutor to several sons of the Manners family ; with them he had made repeated tours on the Continent, and become acquainted with the fluctuating shoals of Englishmen of fortune who then swarmed over Italy and France in search of *virtù* and distraction. His connexion with the Rutland family continued till 1739. In the following year he made the grand tour as the friend and tutor of Lord Maunsel and Mr. Bouverie. In 1744, he travelled with Lord Montrath ; and thus thrown among artists and collectors, he seems to have been held a high authority, and, at any rate, keenly enjoyed the pleasure which the study of art offers. He was a good classical scholar, as befitted the pupil of Boerhaave ; and perhaps he owed, in some degree, to the same great master, his enthusiasm for music. With such tastes and



accomplishments he found ready access into the best society abroad ; and his social temper and real kindness of heart endeared him so, that the acquaintances of the day, if worth preserving, remained friends for life. In this manner his correspondence shows a continued intimacy and interchange of good offices with Lord Deskfoord (1742), Dr. Mead, Murdach Mackenzie, Mr. Dawkins, Mr. Chute, Mr. Whitehead, "crazy St. John," Mr. Bernard, Mr. Blackwood, Mr. Bouverie, Mr. Greville, Mr. Ellis, Sir Gregory Page, Mr. Phelps, Sir F. Dashwood, Mr. Turnbull, Sir Horace Mann, and almost all the personages who figure in that part of Walpole's inimitable letters which treats of art and tourists and collectors abroad. Our collection embraces numerous letters from Domenico Bracci of Florence, who collects medals of middle bronze for him ; Camillo Paderni, who promises to select carefully his *libri d' antichità—sapendo il suo delicato gusto*. Dr. Cocchi, the Florentine anatomist, sent him long histories of chemical and medical experiments. From Rome, Born supplied him with books for his own and for Dr. Mead's collection. Vernet painted for him ; and his wife, with Parker her father, were full of expressions of obligation and kindness. Bonnet and Pictet of Geneva, the Marchesa Grimaldi, the Cardinal Albani, the Abbate Bentivoglio, all corresponded with the Doctor, and knew how to value his correspondence. His warmest admirer and most constant correspondent for many years was Madame de Graffigny.


During these associations and pursuits, he was well

known to have kept up the studies suited for rendering him an accomplished physician. In 1746, he received the appointment of physician to the expedition under General St. Clair—that foolish “secret expedition,” one of the playthings of Government in those days—and there began that friendly intercourse with David Hume, and his friends St. Clair, Erskine, Elliot, and others, which terminated only with his life. Hume’s letters to Clephane are the most free, most sparkling, and altogether the most interesting of those published in his collected correspondence (1846), and although the counterparts are lost, they help us in forming an estimate of the friend to whom they were addressed.

On the 29th May, Dr. Mead writes :—

“I will take care of your being elected a Fellow of the Royal Society, and your name, as the custom is, will be stuck up next week, with the recommendation of myself and two or three more of the members, in order to admission, which cannot be till after three months. I am sure all our *virtuosi* will be glad at the adding so worthy a gentleman to our number. All my family join in their best compliments and good wishes to you. Dr. Stacks adds his.”

What a treasure to a man like “Geddes” was such a brother-in-law! The birth of the lady who was afterwards “Mrs. Elizabeth Rose,” is thus announced with fitting flourish :—



## FROM GEDDES TO DR. CLEPHANE.

“Ὡς ἦδομαι καὶ τέρπομαι καὶ βούλομαι χορεῦσαι ! A daughter is born to me, and the mother in health. I have called her Betty after the mother : May she be like her ; and the females assure me that it is so much the case, that one may say of her according to the old proverb,— Οὐ παῖς Κλεφανῆς ἀλλ’ ἐκείνη αὐτή ἐστι. If she turns out really such, some happy man will bless me as oft and as fervently as ever I did your father. But enough ; I must not be too extravagant. Your sister and I are much at a loss to know what is become of you of late. Pray relieve us. You should write from every port, and if you make any stay, frequently from the same port. The last letter we had was from Cork, and I have writ to you since. My sons are well. Betty joins me in our best wishes to you, and I still am, dear Sir, your most affectionate Brother,

HUGH ROSE.

“ KILRAICK, *March 14th*, 1747.

“ Betty was brought to bed on Sunday the eighth current.”

Before this letter reached its destination, the troops under General St. Clair, which had wintered at Cork, had been ordered home ; and Dr. Clephane, through the unsolicited attention of Lord Sandwich, was almost immediately appointed one of the Physicians to the Hospital of the British Troops in Flanders, where “camp fever” and “marsh fever” were cutting down the strength of the army more than the guns of Ber-


gen-op-zoom. His new appointment was dated 22d May 1747.

## HUME TO DR. CLEPHANE.

“DEAR DOCTOR,—All our projects have failed, and, I believe, for ever. The Secretary-at-War persists in his scruples and delays; and Mr. Robarts, Pelham’s Secretary, says our applications will not succeed. I suppose he speaks in this the sense of his master. Mentor alone is positive we will infallibly succeed. The General goes off for Scotland to-morrow. I set out next week, as fully convinced as Seneca of the vanity of the world, and of the insufficiency of riches to render us happy. I wish you had a little more of the philosophy of that great man, and I a little more of his riches. Perhaps you would rather choose my share, and will reproach me with both dividing and choosing. But such a sentiment is the strongest proof in the world that you want a little more philosophy, and that the division I have assigned you would suit you best.

“The General made . . . effort for us, and would have made a stronger could he have met with Lord Sandwich, whom he called upon several times, and who is now gone to the country about elections. Your friend Mitchel stands for Aberdeenshire, and, I believe, will carry it. I hope Col. Erskine will also have a seat. I am afraid for Oswald.

“I could have wrote you a fine elaborate letter, which you might have shown as from a wit of your acquaintance; but being afraid that this would deter you from





answering, I thought it better to scribble in this careless manner. Pray how do you like your situation in Flanders? Have you got any friends or confidants whom you can be free with *in seriis et in jocis*,—*amici omnium horarum*?

“ If Cope’s dragoons be in Flanders, pray inquire out the surgeon, Frank Home, and make my compliments to him, and tell him that I recommend him to pay his court to you, and to acquire your friendship. You may say that I think it will be very well worth his while, even though it should cost him some pains both to acquire and to keep it. You may add, that the last is, in my opinion, the most difficult point. Seriously speaking, Frank Home is a very pretty young fellow, and well worth your acquaintance. So pray make him the first advances, in case his modesty should render him backward. Yours,

DAVID HUME.

“ LONDON, June 18, 1747.

“ To Dr. John Clephane of the British  
Hospital at Osterhout, Holland.”

In 1748-9, the Doctor had returned from Flanders, and was employed in superintending the military hospital at Ipswich. In a letter of 3d April 1750, written to support his sister under the grief caused by the death of their nephew, Captain Henry Malcolm, he collects the grounds of consolation he had found avail himself, and beseeches her to be comforted for her own, her family’s, her friends’ sake—“ and let me add (a little vainly, perhaps), for the sake of a brother whose suit you have never yet rejected, who has been thought to resemble

you as much in his manners as in his features, and who only proposes to you the medicine which he himself has taken." His occupation in the Ipswich hospital was now gone, and later in the same year he had leisure for an excursion to Kilravock, which shall be chronicled in the Appendix. In 1752, he took a house in Golden Square, by the counsel of Dr. Mead and other friends, set up as a London Physician, and in a very short time seems to have counted a fair number of people of condition among his patients. He was evidently a thriving and successful man, for he had the honest prudence of his country, and yet, in March 1758, we find a tax collector's receipt to "Dr. John Clephane, of Golden Square, for £4 for one chariot." His kindness to his relations increased with his means. In November 1753, "Hugh Rose, Brea's son," a young student of medicine, came recommended to his care from Kilravock. This was afterwards the husband of "Mrs. Elizabeth." In 1755-56, "Hughie Rose," the eldest of his Kilravock nephews, was sent to school at Enfield near London, under his care, and spent many a happy holiday with the kind, indulgent uncle.

In 1757, Lady Kilravock encloses a letter of her daughter. She says—"My lassie has wrote you, and it so much herself only, that, as I live it surprises me."

## ELIZABETH ROSE TO DR. CLEPHANE.

"DEAR UNCLE,—I never wrote you but once, therefore I want to make up my correspondence with you as much as uncle the Major. The recruiting business is

going on very well. I made my man out, which will show my good will. We are all here wishing him home. Give my kind compliments to Hughie, and tell him that a line from him would be obliging. So would a letter from uncle to his ever affectionate niece,

ELIZA ROSE.

“KILRAIK, *February 15th*, 1757.”

The latest letter of the Doctor's that is preserved, and one of the latest he can have written, was to his young correspondent at Kilravock. It overflows with affection, and the style is brought somewhat to the level of the little girl's comprehension. One sentence shows the early attention she bestowed on music :—

DR. CLEPHANE TO ELIZABETH ROSE.

“MY DEAREST BETSY, . . . Reading and writing and playing on the spinet is all very well—indeed, extremely well. The two first deserve great application. The spinet, too, has its merit, and has more than the instrument I once proposed for you—the guitarre, or the mandolino, as it is called here by our London ladies. What induced me to recommend it is its portableness, and that methinks music is well as an amusement, but not as a study. However, if you have once made some progress on the spinet or harpsichord, the mandola will be an easy acquisition.” He makes some remarks upon a letter he had received from her. “You say you romp too much with the Malcolms. It seems your mamma chides you sometimes for this, and I


take it for granted you endeavour to correct what is perhaps too much. . . . Sliding on the ice you are fond of, it seems. It is a wholesome but a dangerous exercise, especially for your sex, Bessy, whom custom has fettered with coats and petticoats, whereby you may be brought sometimes to some unlucky falls and situations. Consider this, and think how soon it may be proper to abandon this diversion. Cutting paper is an innocent amusement, but unless you come to excel greatly, it will soon prove trifling. Whatsoever you apply yourself to, whether study or amusement, I could wish to see you arrive at a degree of perfection ; and with perfection there is hardly anything trifling. . . . I am, most affectionately, my dear Betsy's

“JOHN CLEPHANE.

“LONDON, *March* 10, 1758.”

“You are, in all your letters, to say something of your own health, and of papa and mamma's ; not forgetting Willie, Jock, and the Malcolms.”

There are no more letters of John Clephane's. Surrounded by friends and dear relatives—on the fair road to fortune and distinction, if not already having achieved them—happy above all in a kindly, cheerful nature—he was induced in an evil hour to take an appointment in the fatal expedition of 1758. He was taken ill, made a will at sea, off La Hogue, leaving his sister, Mrs. Rose, his executrix and sole heir of his little savings ; and soon after died. A volume of *Medical Observations and Inquiries by a Society of Physicians*, presented by Dr.




[William] Hunter of London to the sister of Dr. Clephane, had the following inscription :—" Doctor Hunter presents Mrs. Rose with this work of a Society which had the deepest obligations to Doctor Clephane. His humanity and his love of improvement gave it existence ; his knowledge, both natural and acquired, gave it life, action, and dignity ; his amiable and reconciling temper preserved harmony among the members in every transaction. He lived to see this volume received by the public with applause ; and the best apology for what may be published hereafter by the Society, will be, that he lived no longer."

James Clephane, the Doctor's brother, an officer of the Scotch troops in the Dutch service, had risen by slow gradations to be senior Captain of Stewart's regiment, when he was taken at Sluys, and carried prisoner to Dijon in Burgundy (May 1747). His brother had influence to procure his exchange, and he figures in 1750 as " Major in command of Major-General Stewart's regiment," in garrison at Tournay. In 1754, he visited his friends in Scotland, at the same time recruiting a little for his regiment. He yielded to the hospitality of the country, had a severe fit of the gout at Kilravock, but on his recovery made up his complement of eight recruits, and with them " sailed for Frogland." In 1756, his brother, through his military friends in London, effected his exchange into the British army, and paid his debts in Holland ; and James Clephane came on his second visit to Kilravock as first Major of Colonel Simon Fraser's Highland battalion—the conditions of his rank

being, that he should raise a company ; and, secondly, should serve with his regiment in North America.

By the Baron's help he recruited 110 or 112 men, "good hearty young fellows," and sent them to Glasgow in charge of Captain Arthur Rose, Kilravock's uncle, a lieutenant in the Dutch service, "a most fit person, as being well acquainted with the humours and genius of every one recruit." He entreats the Doctor to use his influence to get Arthur a lieutenancy "among us," as he would rather almost go to hell than be obliged to return to Holland.

The Doctor succeeded in his endeavour, and Arthur Rose's name is found as lieutenant of one of the three additional companies of Lieutenant-Colonel Simon Fraser's regiment, with instructions for raising his quota of men, dated July 16th, 1757. He writes from Quebec on the 17th July 1760, to his grandnephew, Hugh Rose of Kilravock, announcing his being wounded—"I am sorry I can't accompany you with the fiddle any more, my left hand being rendered useless. . . . The many battles, sieges, and skirmishes we have had, fell heavier on us than any other regiment ; having thirteen officers killed between Luisburg and Quebec, and a great number of men, among whom is poor Sandie Rose of Little-town. But I hope this summer will put an end to any more fighting. I assure you, dear Hugh, my curiosity that way is entirely satisfied. . . . If there is a peace, I hope soon to be with you, and see you kill some muir-fowl on the muirs about Culmoney, or a fox in the mickle park or birken-ward. I shall grow melancholy



if I continue in this strain, considering the prodigious distance I am from these happy places." Of Arthur's subsequent fate we are ignorant.

After the Doctor's death, the Major wanted the encouragement and support which had hitherto sustained him. He sold out of the army in 1760 ; and from thenceforward Kilravock was his common residence. He was fondly attached to his sister and her children. The easy social life of the old castle suited him. He kept up a lazy correspondence with a few old brother officers, and devoted some energy to the care and putting out in the world of two grand-nephews, Harry and James Malcolm, the sons of Captain Henry Malcolm, who were bred from children under the kind nursing of good Betty Clephane, and one of whom lived to repay to her and her daughter some part of his obligations. Harry Malcolm went a cadet to India in 1768. Mrs. Rose's letters speak of him as successively Secretary to the Commander-in-Chief and Adjutant-General at Madras.

In 1761, the accomplished and genial General William Caulfield had succeeded Wade in command in the north, and was now resident at Castle-hill, near Inverness, to which he had given the name of Cradle Hall, from a pleasant invention in lieu of stairs for conveying his guests to the upper floors of his house. Two letters from him show the impression the life at Kilravock made upon a stranger :—

" CRADLE HALL, *July* 17, 1761.

" MY DEAR SIR,—I viewed the Castle Kilraick with greater pleasure than I imagined I ever could be capable

of in the absence of your family, who always made us so happy in it. Never give yourself pain about what some pencil-bred critics or imaginary connoisseurs may censure in your alterations—you have made a most decent, comfortable dwelling ; and all this family join in their wishes that Lady Kilraick and you may enjoy it in health and happiness as long as your hearts desire. Had we known of a road for carriages (except slide carts) from Dulsie to Culmony, we would have waited on you, though your landlord has never come near me ; for his heart is good, and I pardon his faults.”

The rest is about the purchase of a coach in London, which cost, with arms and supporters handsomely painted, £52, 10s. ; a new translation of Sappho and Musæus, etc.

At the period of the next letter, the Kilravock family are living for a season in Edinburgh.

TO LADY KILRAVOCK.

“PARK STREET, WESTMINSTER, *Jan.* 27, 1762.

“Mrs. Caulfield and I sincerely wish dear Lady Kilraick, her Laird, and Major Clephane, joy on their present happiness. I fancy myself in a corner of the room, and looking at you while you enjoy so uncommon a felicity ; your whole brood in health and safety around you, and an harmony in every sense among you—hoped for by every family, but possessed by a very few. Our nestlings have found their wings, and fly from us round the globe ; sometimes one or another of them perches for a moment among the branches they were bred in,



but the noise of drums and boatswain whistles soon force them away. Even our females fly. We therefore most heartily pray for peace, that we may not only join concert but merrily partake of the plenty and cheerful bottle that follow it. . . .

“ There is a little bird at my window whistling a very new and strange tune. On listening attentively, I find the burden of the song is, that Kilraick is delighted with Edinburgh. (Hugh *quantum mutatus* !) he will construe it for you. Tell him I like Calder’s black hill, opposite your dining-room window, better than Arthur’s Seat ; and the turns among the birch woods infinitely better than Hope’s Walks. I know enough to prefer the company of a few honest and sincere friends, and the wholesome food they give me, to the compliments of the Change and coffee-house, or the nicest dishes at Walker’s. For God’s sake, keep yourselves the same sort of people I left you. I ever am, dear Madam, faithfully and affectionately yours,

“ WILLIAM CAULFIELD.”

The last proprietor of the estate whom I am to mention is Mrs. Elizabeth Rose, the daughter of “ Geddes” (the seventeenth baron) and Betty Clephane, who succeeded to Kilravock on the early death of her brother, the eighteenth baron, in 1782 ; married her cousin, Hugh Rose, “ Brea’s son,” the heir-male ; and, long surviving him, lived till 1815.

If it be difficult to give a just and lively idea of this lady, it is not certainly from any want of written docu-

ments of her time. She herself was a great letter-writer, and she preserved a large mass of her correspondence, as well as many copies or drafts of her own letters. She kept a commonplace book of her reading for many years, and she followed what in her days was a very general practice, especially with ladies, that of making copious extracts from the books she read ; above all, she kept a journal from the year 1771, till the year of her death—1815. She generally wrote beforehand, a ‘plan’ of the occupations of each year, month, and week, and at the close of the period, measured the ‘accomplishment’ of her intentions ; and she filled volumes with ‘meditations,’ ‘reflexions,’ ‘thoughts,’ on the various trials or mercies of which she was the object. One closely filled volume of these communings with her own heart, begins with—“A review of my past life and errors,” dated Trinity Sunday, 1771.

And yet from all these—with a mass of her handwriting before me that seems too great for the labour of a long life—we do not obtain an adequate idea of this remarkable woman. This is owing chiefly to her having set up a standard of composition which excluded all that was not serious and almost lachrymose. The natural overflowings of an active cheerful mind were rejected as vulgar, and if we were to judge from her letters even to her most familiar friends, as well as from her diary and thousands of self-communings preserved, we should set down for a depressed and care-worn lady—her who was the choice companion, the leader of all cheerful amusements, the humorous story-teller, the clever mimic, the very soul of society.

She was educated with her brothers, and entirely by men. But her father's learning was not attractive, or he was too indolent to communicate to his daughter and favourite, more of it than a general taste for reading. One of her early correspondents was her cousin, Henry Mackenzie, who sent her the proof-sheets of his novels, and wrote poetical inscriptions for her favourite seats at Coulmony. She knew no Greek, and scarcely any Latin or French, but from her youth to old age she read indiscriminately everything of English that came in her way. She was fond of sketching 'plans of study,' too, for herself and others; but the books were rather such as she could command, or those recommended by professional *littérateurs*—Dr. Ketts, Mrs. Chapone, Baron Bielfield, and the rest—than of her own selection. This indiscriminate and voracious reading produced what is perhaps its natural result, in destroying the nice perception of excellence of style. Everything literary—every one connected with literature—was ranked unreasonably high. She was content to admire and to praise as her literary guides directed—generally in the words of those self-constituted judges; and she read with pleasure, apparently with equal pleasure, the brilliant, the eloquent, and the bombastic—the language of genuine feeling, and the sentimentalities of the Minerva press—the highest and the lowest. Her own style of writing was not happy, because it was not natural, and she has scarcely written anything worthy of being preserved for its intrinsic qualities. Still, in a country where there was little learning in either sex, her extensive reading gave her a certain pre-eminence, which she never sacri-

ficed in society by any pedantry or blue-stocking affectations. In conversation she was always animated and natural, full of genuine humour and keen and quick perception of the ludicrous. Without perhaps being a perfect musician, she was something better, and had music to charm wherever she came. She sung the airs of her own country, and she had learnt to take a part in catches and glees to make up the party with her father and brother. The same motive led her to study the violin, which she played admirably, handling it like male artists, supported against her shoulder. The guitar she learned, to humour her dear old Uncle Clephane, and she continued it to delight all her friends. The spinet and guitar were her companions in all her changes of abode and changes of fortune, which she loved to write of, as great and disastrous.

She was enthusiastic and yet steady in her friendships, benevolent, hospitable, kind, and generous beyond her means, religious without parade, it may be somewhat over fond of the society of the clergy merely as such. Conscious of the position she occupied at the head of an ancient and once powerful house, and perhaps overestimating it, she never was betrayed into haughtiness of manner or unworthy treatment of humble merit. These were her qualities. Her writings hardly assist our wish to know this lady, and we must estimate Mrs. Elizabeth Rose mainly by the impression she made on the society of her own country and time, as it may still be gathered from people of all pursuits and dispositions.

A dozen years ago, when these words were written, there were many still alive who remembered "Lady Kilravock," and who delighted to recall the memory of

her varied accomplishments—her music, her literature, but chiefly her conversation, her goodness, the wisdom and the wit, her genial, generous nature, her influence on society. As the number of such witnesses diminishes, I have looked round for some written testimonies regarding her. This happens to join her name with the names of two remarkable men.

On his Highland expedition (September 1787) Burns came to Kilravock, introduced by Henry Mackenzie, the “Man of Feeling,” Mrs. Elizabeth’s cousin and early correspondent. He had crossed the moors from Dulsie, and descended on the Nairn by General Wade’s road, which crosses the river at Kilravock. The first day he notes in his journal—“Dine at Kilravock—Mrs. Rose, senior, a true chieftain’s wife.” This was Betty Clephane in her old age. Two days later, after having visited Foyers and Inverness, the poet again notes in his journal:—“*Thursday*.—Came over Culloden Muir; reflections on the field of battle; breakfast at Kilravock; old Mrs. Rose; sterling sense; warm heart; strong passions and honest pride, all in an uncommon degree. Mrs. Rose, junior (this is Mrs. Elizabeth), a little milder than the mother; this, perhaps, owing to her being younger.”

Six months later (February 17, 1788), when Burns had to thank Mrs. Elizabeth for sending him two Gaelic airs, which he had heard sung and liked at Kilravock, he recalls his visit there in that tone of exaggerated feeling which colours so many of his letters:—“I wish I could transcribe or rather transfuse into language the glow of my heart when I read your letter. My ready fancy, with colours more mellow than life itself, painted the beautiful

wild scenery of Kilravock; the venerable grandeur of the castle; the spreading woods; the winding river, gladly leaving his unsightly, heathy source, and lingering with apparent delight as he passes the fairy walk at the bottom of the garden. . . . My aged friend, venerable in worth and years, whose loyalty and other virtues will strongly entitle her to the support of the almighty Spirit here, and his peculiar favour in a happier state of existence. You cannot imagine, Madam, how much such feelings delight me; they are my dearest proofs of my own immortality," etc.

Long afterwards another self-taught man of genius came within the sphere of Mrs. Elizabeth, though perhaps not personally known to her. Hugh Miller tells us:—

"The North had, in the last age, its interesting group of ladies of this type (fond of literature) of whom the central figure might be regarded as the late Mrs. Elizabeth Rose of Kilravock, the correspondent of Burns, and the cousin and associate of Henry Mackenzie, the 'Man of Feeling.' Mrs. Rose seems to have been a lady of a singularly fine mind, though a little touched mayhap by the prevailing sentimentalism of the age. The mistress of 'Harley,' Miss Walton, might have kept exactly such journals as hers; but the talent which they exhibited was certainly of a high order; and the feeling, though cast in a somewhat artificial mould, was, I doubt not, sincere. Portions of those journals I had an opportunity of perusing when on my visit to my friend Miss Dunbar."<sup>1</sup>

Mrs. Elizabeth Rose died in November 1851. She had given minute directions for her funeral. She des

<sup>1</sup> *My Schools and Schoolmasters*, p. 454.

her body might be borne to the family burial-place in the old chapel of Geddes by tenants of the estate, the coffin resting on birch-trees cut from the wood of Kilravock—which was done.

I ask pardon for dwelling at such length on the character of this lady. She was much spoken of among those with whom I spent my youth ; and her papers afterwards coming into my hands, I tried to photograph her—perhaps in too strong a light.

If I have raised the curtain sufficiently, I think my readers must see that the little circle of which we have these glimpses, realized that happiest rural life which the old poets and philosophers dreamt of. They enjoyed the

“ Muses, books, and liberty, and rest ;  
The gardens, fields, and woods,”

without envy of the courtier or the money-maker.


One enjoyment was wanting (and Cowley, whose words I have quoted, omitted it too). I do not find that the most accomplished of the Barons (including those educated abroad) had any feeling or taste for Art, nor is there a single picture of merit or interest at Kilravock, except a Mytens of middling quality. The love of Art had not yet dawned on the grey North. The walls were covered with family pictures of the later generations—nothing old or curious, but the coarse, cheap work of late provincial artists. There were, to be sure, a good many of Strange’s fine engravings glazed, recommended, I suspect, as much by the country of the artist as by his merit.

Friends who have seen this sheet, ask of what religious persuasion were those Roses. I had not intended to bring such matters before the public, but I will give such answer as I can, striving to make it cover two hundred years,—the seventeenth and eighteenth centuries.

In the first place, let it not be presumed, because I have not dwelt upon such subjects, that those educated, intelligent men and women were indifferent to the most important of all subjects of thought and feeling. Still less must it be supposed that any of the cold philosophy and scepticism of the last of those centuries had found its way into the North.

I cannot say if they were orthodox. That depends so much on the time ; and my questioners and I may not agree. But the Roses of those two centuries seem to me to have been Christians in faith and practice ; confirmed in their tenets, yet tolerant and charitable ; but it was not in their nature to make common talk of the state of their conscience. They had no regret or longing after the ancient Church, nor any morbid fear or rage against it. Indeed, it is surprising (and very suggestive) how rapidly the forms, the ritual, the opinions, the learning, the very nomenclature and phraseology of the Catholic Church, disappeared among us after the Reformation.

They were not Covenanters—one or two ladies perhaps excepted, at that time when persecution drove the wisest mad. They were not even Presbyterians in heart, and never had much respect for kirk-session or higher Church court. In their family and closet they used the






English Common-Prayer Book, and they loved that beautiful liturgy, and the memorial division and festivals of the Christian year which the Presbyterian Church repudiates. So thinking, they often found the sermons and argumentative prayers addressed to a northern half-Gaelic audience irksome, as some people still do.

But neither did they deserve to be called Episcopalians. Perhaps they would have preferred an Episcopal church-government, and the decent ordering of service and ritual which belongs to it. While Episcopacy was established by law, they went to church, used the Service-book, and were on good terms of neighbourliness and respect with the successive bishops of their diocese. But they had no enthusiastic zeal for "the Church," nor believed in the superior efficacy of ordinances ministered by priests deriving their ordination consecutively from the Apostles. After the Revolution, when the Episcopal meeting-house became a school of Toryism, where prayers were said for a Jacobite king, the constitutional barons of Kilravock could no longer follow the surplice and the liturgy, unless haply they took their family to communicate at Elgin at Christmas and Easter.

It was a choice of evils, but it had not occurred to them that the teaching must be rejected because they could not agree in all things with the teacher. They went to their own parish church among their neighbours, and tenants, and servants, joined in its service, respected and associated with its minister; reserving their own opinion on some points of doctrine as well as of form.

The Rev. Lachlan Shaw, the historian of the province of Moray, gives in a single chapter of his MS. a few of the "Branches of Kilravock." The list might be easily enlarged, either tracing up the branches to the main stem, or working out the connexion downwards; for it is remarkable, and I think peculiar to this pedigree, that all of the name of Rose in Scotland look to Kilravock as their origin. Other families have two or more rival chiefs. The bearers of other noble and gentle names will tell you "The Earl or the Duke is called our chief, but *our* family is really the chief house." But ask any Rose of Scotch blood, his descent, and (if you please) his arms, and he will answer that he is sprung of Kilravock and bears the Kilravock *water-bougets* on his silver spoons. That is, no doubt, owing in a great degree to Mr. Hew Rose's plain and well vouched history of the race; but it is owing, I think, to some personal qualities that the recognition of chiefship is accompanied by proofs of unusual attachment. Men bearing the name of Rose have crossed the Atlantic to visit the old place, and to express their love for its owners; and a pilgrimage by a Rose to Kilravock and the chapel of Geddes, the birthplace and the burial-place of the family, is as common as it was some years ago, for the "Friends" to visit the little oratory at Ury where Robert Barclay wrote his Apology for the Quakers.

I think few of the scions of the stock of Hugh de Rose and Mary de Bosco have taken root in England, but the family of Kilravock would not willingly have it forgotten that one of those branches transplanted to the south, has



produced a scholar and poet like William Stewart Rose, and a soldier like his nephew the Commander-in Chief in India.

One word of the old place, the cradle of the race. The name of Kilravock indicates the cell or chapel dedicated to some now forgotten saint ; and tradition points, alas ! to the present dove-cot as the site of that chapel, the ancient rights of which were solemnly ascertained by the verdict of an inquest in the cause litigated between " the Lord Prior of Urquhart and Hugh de Ros of Kilravoc " (the third laird), in 1343. The square keep, built by " Huchone de Roos " (the seventh baron), in 1460, stands finely on a rocky bank overhanging the valley of the Nairn. The buildings of different dates that surround it, the last being that noticed by the Hon. General Caulfield in 1762, though little taste is shown in their architecture, are not without a certain effect from their mass. The castle is embowered in fine old timber—beech, oak, and Scotch fir, mixed with the remains of the native birch forest, and a beautiful undergrowth of juniper. The garden, hung on the rocky bank below the house, is very picturesque. It has been much beautified of late, and the whole place preserved by the present tenant, with an affectionate care worthy of the traces of its early cultivation.

FINIS.

## A P P E N D I X.



## APPENDIX.

### I.—P. 29.

#### RECORDS FROM THE SCOTS COLLEGE.

It would appear that the attention of the University of Glasgow was attracted to the importance of the records preserved in the Scots College, by the notice of the proceedings at St. Germain's contained in Mabillon ; and, in 1738, the University addressed a letter, requesting, among other things, a notarial copy of the Chartulary. This request, although met with the greatest courtesy, was at the time only partially successful. It seems that about the year 1726, a complete copy had been obtained by Mr. Maule of Panmure ; but it was not till thirty years after the date of the request that the full transcript was procured which is still preserved in the archives of the University of Glasgow.

In the meantime, the magistrates of the city of Glasgow had their attention turned to the same source ; and, by entries in the books of the Town-Council we find they were engaged in procuring authentic copies of writs connected with the burgh, early in 1739. The result of that application was the presentation to the magistrates of a carefully collated and certified transcript of a portion of the contents of the chartulary which was judged most to concern the city.

When the French revolution threatened destruction to all records, and especially those of monarchy and the priesthood, the poor brethren of the Scots College were not found well fitted to resist the storm.<sup>1</sup> Alexander Gordon, who was then

<sup>1</sup> On the 2d September 1792, Alexander Gordon, then principal, writes to his friend, Andrew Lumisden,—“ Will you believe that, since 13 August, the Scots College has been twice filled with an armed banditti ; and that the first

time, I was conducted, surrounded by four national guards, to the Section, in order to take their new oath, which I absolutely refused to take. I consented to take oath that I would do nothing against their *liberté égalité et propriété*,



principal, escaped from France and took refuge in Scotland. The other members of the College were scattered in different directions. Alexander Innes, the great-grandnephew of Thomas Innes, alone remained in the Scots College, and upon him fell the storm which the others had foreseen and escaped. He was imprisoned in the same prison with the English nuns, and he, as well as his companions, was ordered for execution, and only escaped by the catastrophe of Robespierre happening on the very day appointed for their death. When the Abbé Paul M'Pherson, afterwards the venerable Rector of the Scots College at Rome, passed through Paris in 1798, he was informed by Alexander Innes, that before the inmates of the College fled, they packed up in barrels whatever seemed most valuable, including many of their MSS., and despatched them to a confidential agent at St. Omers for safe custody. A quantity of books and papers, however, were left in the College, among which were many of those carried from Scotland by Bethune; and from these, Abbé M'Pherson, at the desire of Innes, selected such as he thought most important, to carry to Scotland. The MSS. selected were, the two volumes of the original Chartulary of Glasgow, a transcript by Lewis Innes of James II.'s Memoirs, a few of Bethune's papers, and some regarding the later Romish Church in Britain; all of which the Abbé carried to London. He there showed them to the late Mr. George Chalmers, and lent some of them to him. The rest<sup>1</sup> he carried to Scotland, and deposited in the hands of Bishop Cameron of Edinburgh. Principal Gordon, then resident at Traquair, claimed these MSS. in right of the Scots College; but Bishop Cameron refused to give them up, and eventually transferred the custody of them to Bishop Kyle, in Aberdeenshire.

and that was all I would promise. I leave Paris for a time, because *non tam timenda proscriptio quam universorum interitus*; such is the rage of the parties that divide this devoted-to-ruin country. Your letter to Mr. D'Aubenton was sent. May all that is good attend you, my dear friend, and believe me unalterably yours." — *Letter among the Lumisden Papers in the possession of Mr. Dennis-toun.*

<sup>1</sup> Among these were several volumes of the later records of the church of Glasgow; it is believed collections of feu-charters and rentals, which have unfortunately been lost since coming into the custody of Bishop Cameron.

Since this note was written, I have seen a volume of Rental of the Archbishopric in the library of St. Mary's, Edinburgh.

The Abbé M'Pherson, before leaving France in 1798, applied to the agent at St. Omers, to whom the mass of the College MSS. had been consigned, to learn their fate. He was assured by that person, that on the appearance of a proclamation enjoining all holders of British property to surrender it on pain of death, his wife, dreading a discovery, burnt the papers in his absence. Alexander Innes denied the truth of this statement; but they have never been recovered; and the fate of that deposit is still involved in obscurity.<sup>1</sup>

<sup>1</sup> This account is from the narrative of the Abbé M'Pherson himself, communicated by him at Rome in 1838 to Mr. Dennistoun. The Abbé was then about eighty-two years old, but vigorous in body and mind. Mr. Dennistoun made a note of his communication at the time.

Above thirty years after M'Pherson's inquiry at St. Omers, one Robert Watson came to Rome, and talking on this subject to the Abbé, assured him that there was no truth in the alleged destruction of these documents; indeed, he asserted that he knew where many of them then were, and that he could recover them if £50 were paid him. This information the Abbé wrote to Lord Stuart de Rothesay, then in Paris, who saw Watson, paid him the money, and did obtain some papers.

This Watson had fled from Scotland, having been compromised in the seditious associations of 1794, and remained abroad till after the peace. Having become acquainted at Rome with an attorney, who had been confidential agent of the Cardinal York, he purchased from him, for 100 scudi (£22, 10s.), a large mass of papers, chiefly regarding the rebellions of 1715 and 1745, which had remained in his hands after the Cardinal's death. Several carts were employed to transport them to a room which Watson had fitted up to receive them: but having made great boasting of his prize, the matter reached Cardinal Gonsalvi, the minister of Pius VII., who directed the whole to be seized. Watson was offered

repayment of the price and all the expenses; but he refused to accept of this, and left Rome protesting his right to the papers. The whole collection was subsequently sent to George IV. as a present from Pius VII., and is generally known as the Stuart Papers. A commission was appointed by his Majesty for examining these, with Sir Walter Scott at the head of it; and extracts have been published from them by Lord Mahon, in his *History of England from the Peace of Utrecht*, and by Dr. Brown, in his *History of the Highlands*.

The subsequent fate of Watson will appear from the following notice in the *Times*, November 22 and 23, 1838:—

"On Tuesday, 20th November 1838, an inquest was held at the Blue Anchor Tavern, St. Mary-at-Hill, Thames Street, London, on Mr. Robert Watson, aged 88, who had strangled himself the preceding morning when in bed, by twisting his neckcloth with a poker. He had arrived in that tavern in March from Boulogne, and after staying five weeks went to Bath, on his return from which he had an apoplectic fit. He generally lay in bed till two o'clock. The night before his death, he told the landlord that he was secretary to Lord George Gordon in 1780; that he had been the intimate friend of Horne Tooke up to his death; that he had been tried at the Old Bailey for conspiracy, and acquitted; that, at another time, £400 had been offered by Government for his apprehension, but he escaped by living in disguise in a lord's house in London, and



Having mentioned the circumstances under which the Jacobite papers of Cardinal York found their way to England, it may be allowable to add some details given by Abbé M'Pherson, of those belonging to Prince Charles Edward. The Prince left all his papers to his natural daughter, the Duchess of Albany, who gave them in charge to her chaplain, Waters, in whose custody they remained after her death, with the sanction of the Cardinal. Sir John Hipposley having left England to avoid Warren Hastings' trial, was in Rome about 1794-95, and, having seen these documents in Waters's possession, he wrote to Burke, who mentioned them to the Prince of Wales. His Royal Highness, feeling a warm interest in the recovery of the papers, authorized Sir John to treat for their purchase. After some correspondence, Waters, in 1798, agreed to give them up, on condition of receiving a pension of £50 a year, which, however, he did not live to draw, having died in 1799. The manuscripts were consigned to the British Vice-Consul at Civita Vecchia, to wait the arrival of the frigate in which they were to be shipped; but that port having fallen into the hands of the French, they could not be moved. The Prince being very anxious for their safety, Signor Bonelli, an Italian gentleman then resident in London, who was after the peace British Vice-Consul at Rome, was sent out by the British Government to

got away by the interest of Lady M'D. in a Swedish ship, in which he was nearly taken, on suspicion of being Thomas Hardy. He went afterwards to Paris, and was employed by Napoleon to teach him English, who made him President of the Scotch College there, with 5000 francs a year, which he held six years. That he had been to every court in Europe, and had travelled to every part of the globe, and had been intimate with Washington; and was an avowed Deist. He went from France to Rome, where he discovered a mass of papers relative to the Stuart family, and of the greatest importance to England. That he entered upon a negotiation about them with Lord Castlereagh, who gave him a free pardon, and promised him

£3000 for the discovery. That he frequently visited the Pope on the subject, and at last obtained them for a large sum; and, after further difficulties on the part of the Pope, he shipped them in a frigate sent on purpose from England, *Lord Brougham being sent out by the Government to receive them.* When he went to Bath, he had with him a box, which he declared contained important papers, and which he left there.

"He said he had an aunt in Edinburgh 104 years old, and 84 years a widow, and was supposed to be uncle to Dr. Watson, a surgeon in Leith. He was a person of very reserved habits; and nineteen wounds were said to have been found on his body after death. Verdict—*Temporary insanity.*"

attempt their recovery,. On arriving at Rome, he applied for assistance to Abbé M'Pherson, and with much difficulty procured a passport for Civita Vecchia, British subjects being then jealously prevented by the French from approaching the coast. Having ascertained from the Vice-Consul where the papers lay, he requested leave from the French commandant of the place to search among them for some documents required in a Scotch lawsuit. The officer desired to see them ; and, happening to take up a copy of James II.'s Memoirs, pronounced, that as the papers seemed of no consequence, having been already published, the Abbé might dispose of them as he thought fit. With this permission they were shipped for Leghorn, and thence transmitted by Algiers to England.

I have thought it proper to give this account exactly as narrated by M'Pherson. In all essentials it agrees with Waters's statement prefixed to Dr. Clarke's edition of James II.'s Memoirs.

## II.—P. 63.

### OATH OF A SUFFRAGAN TO HIS ARCHBISHOP.

THE instrument bears that at Edinburgh, in the private chapel of the Archbishop, situate within the house of his usual residence in the said burgh, at two hours afternoon, on the 7th February 1530, in presence of a reverend and the venerable fathers in Christ and lords,—Robert Montgomery, bishop-elect, confirmed of Lismore ; Alexander and Robert, by divine permission, abbots of Cambuskynnel and Kynloss ; and Master John Colquhon, canon of Glasgow :

Henry, bishop of Whithern and the chapel-royal of Stirling, being absolved and restored against certain sentences of the Archbishop—and his protest concerning preserving the rights of his chapel admitted—on bended knees, and with his joined hands actually placed between the hands of the most reverend father the Archbishop, made and offered his due obedience and manual reverence to the said most reverend father, his Metropolitan, there present ; receiving and admitting him, in respect

of his bishopric of Whithern, really and in fact under this form :—

“ I, Henry of Whithern and the Chapel-Royal of Stirling, Bishop, now and henceforward swear and promise obedience and reverence for myself, as bishop of the church of Whithern, and for that my church of Whithern, and for the whole people and clergy of my see and diocese of Whithern, to you, Gavin, Archbishop of Glasgow, my immediate Metropolitan, and to your successors canonically entering ; save, however, and remaining always uninjured, the privileges and exemptions and indulgences foresaid, granted to me as bishop of the chapel-royal of Stirling and to that chapel. So help me God, and these holy gospels of God.”

### III.—P. 109.

#### EARLY SCOTCH.

THE public writ in Scotch, *Anno* 1389, has been printed in *Scotland in the Middle Ages*, p. 260.

### IV.—Pp. 125, 193.

#### SERFS—COLLIERS AND SALTERS.

THE charter of William the Lion enjoins to all in whose land or possession the Abbot of Scone shall find *cum larves et cum herbes* pertaining to the lands of the Abbey, to restore them without delay (*Regist. de Scon*, No. 36). The term, more carefully written in the ancient Register of Dumfermlin—*Cum-erlache*, *Cumberlache*—in connexion with a similar precept of David I., is there translated on the margin, by the scribe of the Register—for the benefit of such of the convent as knew no Gaelic—*fugitivi* (*Regist. de Dunfermlyn*, pp. 6, 17), and the royal writs seem merely to be for enforcing the common law for recovery of runaway serfs.

Something has been said of *nativi* and serfs in *Scotland in the Middle Ages* (p. 141), and of their value and the progress of their manumission. Lawyers know that it was decided by the

Scotch Court earlier than the English, that a negro slave brought from the plantations where the law enforced slavery, became free by coming to this country (*Case of Knight*, Jan. 15th, 1778.)

I see no reason to believe that the bondage of colliers and salters was a vestige, or at all derived from the mediæval serfdom. Stair, who cared little about native customary law, jumps from the Roman and Jewish law of servitude to modern times, and, taking notice of the English villains, says that "in Scotland there is no such thing." Erskine has a chapter on the law of colliers and salters, whom he calls "necessary servants," but pushes it no higher than the Act of Parliament, 1606, c. 11, which, indeed, from its phraseology, appears plainly to be the introduction of a new condition, and not the declaration of an old common law custom.

The strange fact of our own age and country having witnessed servitude as degrading as negro slavery, attracted the attention of two writers, whom I must be permitted to quote. Hugh Miller describes a village of colliers in the neighbourhood of Edinburgh:—

"One of these villages, whose foundations can no longer be traced, occurred in the immediate vicinity of Niddry Mill. It was a wretched assemblage of dingy, low-roofed, tile-covered hovels, each of which perfectly resembled all the others, and was inhabited by a rude and ignorant race of men, that still bore about them the soil and stain of recent slavery. Curious as the fact may seem, all the older men of that village, though situated little more than four miles from Edinburgh, had been born slaves. Nay, eighteen years later (in 1842), when Parliament issued a Commission to inquire into the nature and results of female labour in the coal-pits of Scotland, there was a collier still living that had never been twenty miles from the Scottish capital, who could state to the Commissioners that both his father and grandfather had been slaves, that he himself had been born a slave, and that he had wrought for years in a pit in the neighbourhood of Musselburgh ere the colliers got their freedom. Father and grandfather had been parishioners of the late Dr. Carlyle of Inveresk. They were contemporary with Chatham

and Cowper and Burke and Fox ; and at a time when Granville Sharpe could have stepped forward, and effectually protected, in virtue of his own statute, the runaway negro who had taken refuge from the tyranny of his master in a British port, no man could have protected *them* from the Inveresk laird, their proprietor, had they dared to exercise the right, common to all Britons besides, of removing to some other locality, or of making choice of some other employment. Strange enough, surely, that so entire a fragment of the barbarous past should have been thus dovetailed into the age not yet wholly passed away ! I regard it as one of the more singular circumstances of my life, that I should have conversed with Scotchmen who had been born slaves. The collier-women of this village—poor overtoiled creatures, who carried up all the coal from under ground on their backs, by a long turnpike stair inserted in one of the shafts—bore more of the marks of serfdom still about them than even the men. How these poor women did labour, and how thoroughly, even at this time, were they characterized by the slave nature ! It has been estimated by a man who well knew them—Mr. Robert Bald—that one of their ordinary day's work was equal to the carrying of a hundredweight from the level of the sea to the top of Ben Lomond. They were marked by a peculiar type of mouth, from which I learned to distinguish them from all the other females of the country. It was wide, open, thick-lipped, projecting equally above and below, and exactly resembled that which we find in the prints given of savages in their lowest and most degraded state, in such narratives of our modern voyagers, as, for instance, the *Narrative of Captain Fitzroy's Second Voyage of the 'Beagle.'* During, however, the lapse of the last twenty years, this type of mouth seems to have disappeared in Scotland. It was accompanied with traits of almost infantile weakness. I have seen these collier-women crying like children when toiling under their load along the upper rounds of the wooden stair that traversed the shaft, and then returning, scarce a minute after, with the empty creel, singing with glee. The collier houses were chiefly remarkable for being all alike, outside and in : all were equally dingy, dirty, naked, and uncomfortable. I first learnt to suspect, in this rude village, that the democratic

watchword, 'Liberty and Equality,' is somewhat faulty in its philosophy. Slavery and Equality would be nearer the mark. Wherever there is liberty, the original differences between man and man begin to manifest themselves in their external circumstances, and the equality straightway ceases. It is through slavery that equality, among at least the masses, is to be fully attained."<sup>1</sup>

Another writer, to whom all must look with gratitude who feel an interest in Scotch manners, and the changes taking place so rapidly around us, has written of the last British slaves thus :—

"There are few people who now know that so recently as 1799 there were slaves in this country. Twenty-five years before, that is, in 1775, there must have been thousands of them ; for this was then the condition of all our colliers and salters. They were literally slaves. They could not be killed nor directly tortured ; but they belonged, like the serfs of an older time, to their respective works, with which they were sold as a part of the gearing. With a few very rigid exceptions, the

<sup>1</sup> The Act for manumitting our Scotch colliers was passed in the year 1775, forty-nine years prior to the date of my acquaintance with the class at Niddry. But though it was only such colliers of the village as were in their fiftieth year when I knew them (with, of course, all the older ones), who had been born slaves, even its men of thirty had actually, though not nominally, come into the world in a state of bondage, in consequence of certain penalties attached to the emancipating act, of which the poor ignorant workers under ground were both too improvident and too little ingenious to keep clear. They were set free, however, by a second Act, passed in 1799. The language of both these Acts, regarded as British ones of the latter half of the last century, and as bearing reference to British subjects living within the limits of the island, strikes with startling effect. "Whereas," says the preamble of the older Act—that of 1775—"by the statute law of Scotland, as explained by the judges of the

courts of law there, many colliers, and coal-bearers, and salters, are in a state of *slavery or bondage*, bound to the collieries or salt works where they work *for life, transferable with the collieries and salt works* ; and whereas the emancipating," etc. etc. A passage in the preamble of the Act of 1799 is scarcely less striking : it declares that, notwithstanding the former Act, "many colliers and coal-bearers *still continue in a state of bondage*" in Scotland. The history of our Scotch colliers would be found a curious and instructive one. Their slavery seems not to have been derived from the ancient times of general serfship, but to have originated in comparatively modern Acts of the Scottish Parliament, and in decisions of the Court of Session,—in Acts of a Parliament in which the poor ignorant subterranean men of the country were, of course, wholly unrepresented, and in decisions of a Court in which no agent of theirs ever made appearance in their behalf.

condition of the head of the family was the condition of the whole house. For though a child, *if never entered* with the work, was free, yet entering was its natural and almost certain destination; for its doing so was valuable to its father, and its getting into any other employment in the neighbourhood was resisted by the owner. So that wives, daughters, and sons, went on from generation to generation under the system which was the family doom. Of course it was the interest of a wise master to use them well, as it was to use his other cattle well. But, as usual, the human animal had the worst of it. It had rights, and could provoke by alluding to them. It could alarm and mutiny. It could not be slain, but it had no protection against fits of tyranny or anger. We do not now know much of their exact personal or domestic condition. But we know what their work makes them, even when they are free, and within the jealous benevolence of a softer age. We know that they formed a separate and avoided tribe, as to a great extent they still do, with a language and habits of their own. And we know what slavery even in its best form is and does. The completeness of their degradation is disclosed by one public fact. The Statute passed in 1701, which has been extolled as the Scotch Habeas Corpus Act, proceeds on the preamble that 'Our Sovereign Lord, considering it is the interest of all his good subjects that the liberty of their persons be duly secured,' yet, while introducing regulations against 'wrongous imprisonment and undue delays in trials,' the statute contains these words:—'And sicklike it is hereby provided and declared that this present Act is noways to be extended to colliers or salters.' That is, being slaves, that they had no personal liberty to protect. These facts enable us to understand the hereditary blackguardism, which formed the secondary nature of these fixed underground gipsies, and the mysterious horror with which they were regarded, and which, in a certain degree, attaches to all subterranean labourers. The first link of their chain was broken in 1775, by the 15th Act of George III. cap. 28. It sets out on the preamble, that 'many colliers and salters *are in a state of slavery and bondage.*' It emancipates *future* ones entirely, that is, those who,

after the 1st of July 1775, ‘*shall begin to work as colliers and salters.*’ But the existing ones were only liberated gradually; those under 21 in seven years; those between 21 and 35 in ten years. The liberation of the father was declared to liberate his family. And the freed were put under the Act 1701. But this measure, though effective in checking new slavery, was made very nearly useless in its application to existing slaves, by one of its conditions. Instead of becoming free by mere lapse of time, no slave obtained his liberty unless he instituted a legal proceeding in the Sheriff Court, and incurred all the cost, delay, and trouble of a law-suit; his capacity to do which was extinguished by the invariable system of masters always having their workmen in their debt. The result was that, in general, the existing slave was only liberated by death. But this last link was broken in June 1799, by the 39th George III. cap. 58, which enacted, that from and after its date, ‘*all the colliers in Scotland who were bound colliers at the passing of the 15th George III. cap. 29, shall be free from their servitude.*’ This annihilated the relic. These two statutes seem to have been neither the effect nor the cause of any public excitement. I do not see either of them even mentioned in the *Scots Magazine*. People cared nothing about colliers on their own account, and the taste for improving the lower orders had not then begun to dawn.”—*Lord Cockburn’s Memorials of his Time.*

The following extract is from Ruddiman’s *Weekly Mercury*, September 16, 1778 :—

“Last week the colliers under the Earl of Abercorn wrote a letter to his lordship, thanking him for the active part he had taken in Parliament to relieve them and their brethren in Scotland from perpetual slavery, under the oppressive power of which they had long groaned, . . . and entreated his lordship to allow them to come up in a body, before the house, to testify their gratitude for so humane and so noble an action. Accordingly, on the 11th September, about fifty colliers, accompanied by about 2000 spectators, marched to Lord Abercorn’s house, at Duddingstone, with colours flying. There they were hospitably entertained, and, after spending the day in innocent amusement, they departed, saying that the 11th



September would be a day held in remembrance by them and their posterity."

V.—P. 170.

THE COMPLAINT OF THE ABBOT OF ARBROATH, 1460-70.

I GIVE the Abbot's pleading as it stands in the Black Book of Arbroath. The spelling, of course, is of the scribe of that register, writing about the end of the fifteenth century. The time of the Complaint itself is between 1460 and 1470 :—

"Querela domini Malcomi abbatis in parlamento ac in consilio cleri tento apud Perth aduersus dominum de Meldrum penes terras vocatas Cautey in baronia nostra de Tarwas iacentes per dominos de Meldrum a monasterio iniuste ablatas et sibi damnabiliter appropriatas.

"Nobille and prepotent lordis and honorable and virschypful schyris . We Malcom abbot of Arbroth and conuent of the samen religios men infeste in donatioun of landis and kirkys with outheris possessionis gyfyn to the sayd abbay in almus be nobyll and deuote prynces king Willyem our fundator his successoris and sic lyk be honorable lordis and baronis of gud mynd . quhilkis landis and possessionis mortificat to the said place be the forsad fundatoris lordis and baronis ar confeirmyt be diuers haly faderis papis of Rome and be byschopys of diuers dioces . quhilkis confirmationis contenis in thaim gret terrible and dreidfull sentens of excommunicatioun apone all thaim quhatsumewyr thai be that brekkys the said mortificatioun of the said possessionis and that vrangwaysle away takkys appropreys or analeys of the said abbais landis or possessionis be the forsad donatoris gyfyne to God Almychty our Lady and tyll Sanct Thomas patrone of the said place . quhilkis landis and possessionis has beyn brukyt in pace and tranquillite be the said place and our predecessoris beyownd al memor of man quhill now in thir dais part of ewyl myndit personis wythout the dredor of God or rememmorans of the dampnatioun of thar sawlys wrangis and tribulis ws and our pwr tenentis in peciable possessioun of part of our landis in ovr baronye of Terwas . And in speciale we meyn ws lamentabile ontyll your nobile lord-

schypis quhow we ar greitly hurt in our possessionis and propyr landis of the townys of Arquhorty and Cragy pertenyng to ws bath in propirte and in commoun and principale betuix the said twa townys and the town of Kylbleyn the quhilk land in ane part is callyt on the new Caute quhilk nayme it gat as we weyll knaw in defraude of ws and of owr pwr men tenentis of the said twa townis . quhilk ma be weyll consideryt be this resoun . Lang tyme afor was discord and debait betuix owr baronry of Tarwas and the baronry of Fyndyhark quhilk is now callit Meldrum . thar outuarat bordoyris with the landis of Kylbleyn and Ordonedrane as for that syd ves decidit and accordit betuix owr predecessoris that clamyt the said landis of Kylbleyn and Ordonaydrane as lauchfull possessoris of the samen landis . quhilk landis of Kilbleyn the abbot and conuent for the tyme gaif owr thar claem to the lard that than was callyt Philip of Findark for his seruice quhilk he promittit for hym and his that we suld onuexit be in the lawe of the landis and to be gud nychtbowr to ws and tyl owr men in tyme to cum for ewyr . Alsua honorable lordis eftyr the decisioun of the debatis betuix thir twa baronys on ylk syd it stude in greit tranquillite and paes and rest quhen Kynbleyn was gyfyn owr be ws to the said lard of Meldrum veill to the space of ii<sup>e</sup> yeiris and mair quhill now in thir dais in memor of man com thar ane officeman quhilk was ane commoun smyth and seruand bath to the baronye of Tarwas and Meldrum . quhilk commoun smyth duelt sumtyme in owr land of Carnbrogy and had his officehows in that land callit Cautey quhilk smyth had nocht thar ane yard nor croft bot that smyde . the said smyde was bygyt be that smyth in the tyme of Vilyam of Meldrum than lard of the sam . and becaus that tyme in thai tua baronys vas few men of reputatioun bot the said lard of Meldrum the sad smyth callyt hym his man for to manteym hyme in seruice and office of the cwntray that otheris suld nocht vrang hyme . and nothyr gaif the lard to the said smyth land nor crofte bot callit hyme his man alanerly for quhy he had nane land in tha partis to gyf hym of resoun becaus it was decidit of befor as said is . and now sen-syne in contemptioun of God and haly kyrk in greit daynger of thar saulis and in hurt and preiudice of the place of Arbroth

and ws the lardis of Meldrum has gart eyre and saw owr said landis of Cauty by all resoun or apperans of ony clame titule or rycht thartyll . Alsua ane othyr resoun . Yowr lordscipis sal onderstand had owr land now callit Caute beyn the lard of Meldrumis he had gyfyn it tyll his secund bruthir quhen he gaif the landis of Kenbleyn . bot his consciens arguit hym the contrare becaus it vas nocht his land be nane apperans be this resoun . our marchis that was than betuix the tua bwrnis held the burne wpe to the woud of Kyngude as of the wast part and than was wythin ws and owr baronry Ordyndrane and Kilbleyn the quhilkis we gaif owr at the compositioun for his gud seruice and gud nyctbourschype as said is quhylk landis he gaif to his secund bruthir as is forsaide . and frathynfurth eftyr that compositioun was decidit betuix ws and Kylbleyn be thyr marchis . that is to say . begynnand at the burne that gays fra Auchquhorty quhar that the strype fallys in the said burne and swa ascendand wp betuix the landis of Kilbleyn and the moss betix the hard and the naysch and ewyn sowth owr to the burn of owr landis of Carnbrogy . Alsua pleis it yowr lordschypis to be rememorat the vrangus occupatioun of owr said landis of Caute was mowyt and begwn on this vay . For seruice of owr landis and aisiamment of the said smyth owr predecessoris owr-lukyt and tholyt the smyth tyll byg ane smyde in the moss becaus of his colys and fuell that was necessar to his office to be woung in tyme of yeir . the said smyth vas callit Ade of Caute and in skorne with the nyctbowris vas callit lard of Caute in derisioun becaus he sett in the myddys of ane cauld moss and throw that skorne the land was callit Cauty . and becaus he was callit swa lard of Cauty quhoubeit it was bot for derisioun owr predecessoris thynkand it onkyndle tyll thole ane nominatioun of lardschipe of sic ane man in the said Caute without rycht or resoun thai remowit and pwt the said smith fra the said place for dreid that percais the smith or ony of his suld eftyr be process of tyme pretend ony claim of rycht tyll the said landis . than this smyth passit to the lard of Meldrum tyl haue his assistens tyl be in contrary owr predecessoris wyllis haldyn in possessioun of the said officehows . and swa it vas . for the said lard tuk the said Ade in mantemyn and the land

be the tope and gart eyr and saw the said land and appropry it tyl hyme . than we menynt ws of that vrang to owr bailye for the time callyt Philip of Dunbrek . quhilk baillye passit to the said land and straik the sommys in twa and hewyt the plwche . than eftyr that the land lay long onoccupyt . quhilk interruption maid be the said bailye is weill knawyn tyl diuers of yowr lordschypis and als tyll mony of the eldayst mene in the cuntrey . Eftyr the deceiss of this lard of Meldrum succedit tyll hyme ane othir lard and largely begwd quhar his predecessor lefte . eryt and labourit the said land . and maid habitatioun tharon becaus thar vas nane to argwn nor tyll mak resistans tharin . for deyn Valter Panter that tym vas ane auld man and resignyt the abbacy tyll ane deyn Richard Guthre quhilk was nocht actiue nor gaif intendens for remeid of sic vrangis dwne to the haly place . and swa the place and we sustenis thir vrangys in thir said landis and sic lyk in mony owthyr placys schath and hurt we haif and dredys tyll susteyn mar dampnache eftyrwart bot gyf yowr lordschypis put remeid heirintyll . Herfor we deyn Malcom abbot of the said abbay and conuent of the samen beseikys and prays your nobyll lordschipys for the luf of God tyl intend auisytly tyll owr said complaynt and to consider diligentle the skathys costys and gret vexationis we and the said place sustenis in the persut of diuers vrangis dwne to ws and the said place in diuers partis within the rewm and mast special in the forsaid landis callit Caulte quhilkis our predecessoris has iosyt and brukyt peceabile ii hundreth yeirys befor thir days has our propyr pastur to the said tua townis.

“Supradicta querimonia habetur in quodam veteri registro papireo.”

VI.—P. 379.

FAMILY JEWELS AND VALUABLES OF GLENURQUHY,  
ENTAILED, 1640.

INVENTAR OF GEIR LEFT BY SIR COLINE NOT TO BE DISPOSIT UPON.

. . . Of jewells left to ws be the said Sir Coline as said is, ane targatt of gold sett with thrie diamondis, four topaces or jacinets,

ane rubbie and ane saphyre, enamblid, given be king James the Fyft of worthie memorie to ane of the Laird of Glenurquhey his predicessours. Item ane round jewell of gold sett with precious stones containing tuentie nyne diamonds and four great rubbies, quhilk Queene Anna of worthie memorie Queene of Great Britane France and Irland gaue to vmquhill Sir Duncane Campbell of Glenvrquhy. Item ane gold ring sett with ane great diamond schapine lyke a heart and vther four small diamonds, quhilk the said Queene Anna of worthie memorie gaue to the said Sir Duncane. Item ane fair silver brotch sett with precious stones. Item ane stone of the quantitie of half a hen's eg sett in silver, being flatt at the ane end and round at the vther end lyke a peir, quhilk Sir Coline Campbell first Laird of Glenvrquhy woir quhen he faught in battell at the Rhodes agaynst the Turks, he being one of the Knychtis of the Rhodes. Item of great gold buttons iii<sup>xx</sup> vi. Item mair of silver work and vthers following. Of silver plaittis, tuelff. Of great silver chargers, four. Item ane great silver bassone with ane lower partlie overgilt. Item ane lesser silver lawer with ane basone partlie overgilt. Item ane dussone of silver trencheors and ane dussone of silver sasers partlie overgilt. Item ane great silver cupe with ane cover double overgilt wrought with reasit work. Item ane vther great silver cupe ingraven, with ane cover partlie overgilt. Item ane vther great silver cuppe partlie overgilt with the Laird of Duntrons airmes and name thairon. Item ane litle silver goblet double overgilt, with ane cover. Item ane vther silver cuppe partlie overgilt, with ane face on the bottome of it. Item ane vther midlen cuppe with ane cover partlie overgilt. Item ane vther lang schankit silver cuppe partlie overgilt. Item ane vther lang schankit silver cuppe not overgilt. Item mair ane vther great plaine silver cuppe with the Laird of Glenvrquhyes airmes on the bottom of it. Also ane vther plaine silver cuppe. Item ane vther silver cuppe and ane silver goblet. Item tua litle lang schankit silver cuppes for acavite. Item sex silver gobletts partlie overgilt that goes within other, with ane cover on them. Item ane silver saltfatt with ane cover partlie overgilt. Item ane vther silver salt fatt that standis vpone thrie round knops that hes tuo divisiounes. Item ane vther silver salt

fatt. Item ane silver lawer for vineger partlie overgilt. Item vther tuo silver laweris for vineger. Item ane great maser with ane silver lip quhilk will conteine a quart, quhilk also hes ane silver foote. Item ane vther litle maser with silver lip and foote with ane cover double overgilt. Item ane round cope with ane silver lip. Item of plane silver spoones with the Lairdes name on theme, xi. Mair of silver spoones with round knapit endis overgilt, vi. Item mair of silver spoones in the pantries of Balloch and Finlarg, xxxviii. Item tuo silver footes for copes. Item mair ane vther silver spoone.

Item ane great feildine peice of copper and ane vther feildine peice of iron. Item thrie hakbutts of found, quhairof ii of copper and ane of iron. Ane long small feildine peice of copper and tuo iron peices with chalmers. Tuo hakbutts of found of copper that ar in Glenvrquhy in the castell thairof. Item ane muskett indentit with bane overgilt and graven vpone the ratch with lunt work. Ane vther long muskett with ane wark indentit having ane long blak lethron caise. Ane vther great long musket with the Laids airmes gravin thairon. Mair tuo single musketts indentit with baine, quhairof the ane indentit with pearle, quhilk were gottin frae my Lord Burlie. Ane vther double muskett with lunt work. Thrie vther musketts with new stoks and warkis. Item ane tuo handit suord the hand quhairof is overlayed with velvet. Ane vther tuo handit suord with ane loose hand to be eikit thairto. Mair thrie cutthrott pistollis of copper, quhilk ar gravin, with new stokis and warkis. Item tuo steill targets and ane cork targett. Item tuo stand of horsmens airmes fyve corsletts with thair headpeices and ring craiges, tuo gauntlet gloves, ane murrion of pruff and ane stand of blak horsemans airmes, stoovd with brass naills, containing ane head peice, ane craig peice, ane breist peice, ane bak peice, tuo schoulder peices and ane gauntlett glove.

Item of silk bedis; ane containing four curtaines of red Spanisch taffite fassit with rid and blew silk fasses, and ane curtaine of rid sessnatt taffite, and ane pand of rid velvett brouderit with blew silk, with the Laird of Glenvrquhy and his Ladie thair names and airmes thairon, with ane reid steikit taffita matt. Ane vther blew silk bed, containing thrie curtaines

of blew Spanisch taffite and a curtaine of blew sesnat taffita, with ane fass of silk and ane pand of blew velvott brouderit with the Laird of Glenvrquhy and his Ladie thair names and airmes thereon, with ane blew steikit taffita matt. Ane vther bed of incarnatt London cloath embrouderit with blak velvott, containing iii brouderit curtaines and tuo curtaines not brouderit, ane brouderit pand with the Laird and Lady Glenvrquhyes names and airmes thairon, with silk fasses and ane brouderit covering. Ane greine London cloath bed pasmentit with greine and orange silk laice, containing ane pand with pasmentis and silk fasses and vi peice of pasmentit curtaines with ane covering of the same cloath pasmentit. Ane vther silk bed of changing taffite greine and yellow, containing iiii peice of curtaines, quhairof iii of Spanisch taffite and ane of cesnat taffite, with ane pand schewit with silk and worsett with the Laird and Lady Glenvrquhy thair names and airmes thairon, with ane grein silk fass containing ii peice with ane covering wrought with blue and yellow silk. Item of vther weill and sufficient common furnischt beds xvi, with all thair furniture requisite. Off arras work hingings, ii stand, containing xi peices, and of common hingings, iiii stand, containing xvi peice. Item of great cramosie velvott cuschiounes for the kirk, ii, with thair great silk knops at the nooks and silk fosses about them, with thair reid callico coverings. Mair of cuschiounes of Turkie work xii, and of cuschiounes schewit on gallis, vi. Of dames boordcloathes ii, and of dornik servitts, ii dussone. Of sufficient linnen boordcloathes, xxiiii, and of sufficient linnen servitts, thretteine dussone. Of Holland scheittes ii pair, quhairof i pair schewit with hollie work. Of gude linnen towells, viii. Of linnen cupboordcloathes, iiii. Of greine chalmer countercloathes, vi. Of carpetts for chalmer tables, ii. Of greine countercloathes for the hall burdis, ii.

Of peutor plaittis, viii dussone, quhairof meikle plaittis, xix. Of tin trenchours, vi dussone. Of tin sasers, v.

Of brass pans, v. Of brassine potts, viii, quhairof i great acavite pott. Of speittes, iiii. Ane pestell and ane morter. Of raxes, ii pair. Of goos pans, ii. Of beiff cauldrons, i.

Item of pictures of the Kings and Queenes of Scotland,

xxiiii. And of pictures of the Lairds and Ladies of Glenvrquhay and vther noblemen, xxxiiii. Item ane greit genealogie brod pantit of all the Lairds of Glenvrquhy, and of those that ar come of the house of Glenvrquhy. Mair tuo house knoks and ane chalmer knok. Item ane pair of litle organes in the chapell of Finlarg, and ane pair of harpsicords in Balloch.

Item tuo brewine leds with tuo great maskine fatts. Ane vther brewine vessell.

Mair tuo charter kists bandit with iron bands. Item ane litle schort hunting cuttles in the charterhouse. Mair Captane Gordon his suord.

Item of great ky in the Laird of Glenvrquhy his haill bowhoussis iii<sup>e</sup> xxiii. And of young ky and stirkis aught score and iii. Off wyld meires, xxiii. Of young meires xiii. of staigis x, and of cursours, vi. Item of scheipe and wedderis, v<sup>e</sup> in the Laird his haill scheip houssis.

Item mair sevine chandlers.

And farder wee the saids Sir Robert and Johne Campbells heirby obleissis to mak . . . sufficient particular inventaris of the haill buikis, timber wark, trunkis, kists, loks of doores, and iron yeattis within the houssis of Balloch and Finlarg, Castell Calquhorne, Barchaltan, and Auchachallader . . . and farder it is heirby lykwyse declairit that thair is presentlie on the landis pertaining to the Laird of Glenvrquhy within the Scherefdomes of Perth and Argyle and Steuartries of Stratherne and Monteith, of steilbow corne, sexteine chalders small aittis; and of steilbow beir, fyve chalders; and of strenth silver and steilbow horss on the forsaid lands, estimat to be worth tuo thousand and fyve hundreth merkis, quhilk we also obleiss ws to mak furthcumand . . . Quhilk haill inventar abonewritten wee the saids Sir Robert and Johne Campbells . . . declaires to be the just and true inventar of the jewells, silver wark, insight plenisching, steilbow corne, beir, strenthsilver, ky young and old, and wild meires, left be the said vmquhill Sir Coline to ws . . . and obleissis ws . . . to mak the samyne . . . furthcumand . . . and . . . nevir to burdeine . . . nor dispone upone the samyne . . . vnder all the hiest paines contenid in the foresaid band . . . In witnes quhairof, writtin be William Meiklejohn noter



publict, wee . . . hes subscriyvit thir presents with our handis at Balloch the sevintene day of September 1640 yeires, before thir witnessis, Sir Patrik Ogilvie of Inchmartine, Archibald Campbell fear of Glenlyon, Patrik Campbell of Edinample, Archibald Campbell brother german to the Laird of Laweris, Robert Andersone his servitor, and the said William Meikle · johne wreitar heirof.

VII.—P. 387.

LETTERS FROM THE CHARTER ROOM AT TAYMOUTH.

LETTER FROM COLIN CAMPBELL OF GLENURQUHAY TO GREGOR M'ANE,  
Keeper of his Castle of Kilchurn, 1570.

Gregor M'Ane, I commend me hartlie to you. M'Callum Dow hes schawin me quhow the Clangregour hes tain vp your geir and your puir tenentis geir, the quhilk I pray yow tak na thocht of, for albeit I haue na ky to recompanss yow instantlie, I sall, God willinge, mak yow and youris sour of rowmis that sall mak yow mair profite nor the geir that ye haue tint at this tyme, ye beand ane trew faythfull seruand to me. And gif the puir men that wantis geir duellinge onder yow be trew to yow, tak tham into the place vpoun my expenssis, and gif to thair wyifis and bairnis sum of my victuall to sustein tham as ye think expediant. I pray yow haue the place weill provydid with sic furnesing as ye ma get, and spair nowther my geir nor yit your awin, for God leuuinge ws our heilthis; we will get geir enewche. I pray yow, and als commandis yow, that ye lat nain within the place but your awin traist servandis, albeit I gaif you ane command to resae sum vtheris at my departing, and keip this writing for your warrand; for albeit the geir be awa and the ground waistit, I kepend that auld houss and haldand the rigis haill as God willinge I sall, ye beand ane faythfull servand to me, my bairnis and youris sall leif honorable in it will God, quhen the plage of God will leyth vpoun tham and thair posteritie out of memorie that molestis me and yow at this present. Send word to me gif ye mister men or ony vthir thinge ye wald haue me doand with this berar, quha is ane man that I credeit,

and ye ma schaw to him your mynd. I sall provyid sum scharp boy that can writ and reid to you schortlie, and hald ye him on my expenssis sa lange as this induris, becaus credeit ma nocht be gevin to boyis. The rest to your wisdoun, and to treit yourself weill and be mirrie, and tak na thocht of geir, for we will get geir enewche, will God, quha mot have you in keepinge. At Ilanran, the xviii of August 1570.—Youris,

COLIN CAMPBELL of Glenurquhay.

FROM KING JAMES VI.

TO OUR RYCHT TRAIST FREIND THE LAIRD OF GLENURQUHAY.

Richt traist freind, we greit yow hartlie weill. The incertantie of the tyme of the arrivall of the remanent foreynn ambassadouris and sum uthir speciall occasionis hes constrainit ws to prorogat the tyme of our deirest sonis baptisme to Sonnday the xviii of August, quhairof we haue thocht guid to adverteiss yow, desyring yow effectuslie that ye will not fail to be with ws the xv day of the said moneth at the farthest, and to haist in sick quick stufe as ye haif in reddienes to the support of the chairgis to Striuling betuix and the sevint day of the said moneth, and vennesoun and wyld foull as it may be had . . . . about the day of the solemptnitie, as ye will gif pruiiff at this tyme of your guid effectioun, to the honoure of ws and the cuntrey: sua we committ yow to God. At Stirling, the last day of July 1594.

JAMES R.

FROM SIR DAVID MURRAY, LORD SCONE.

TO THE RYCHT HONORABLE THE LAIRD OF GLENURQUHY these be delyuered.

HONORABLE SIR, The prince receaved your eagles very thankfullie and we hade good sport with thame, and according to his promeiss he hathe sent yow a horss to be a stallon, one of the best in his stable for that purposs, and comendis him kyndlie to yow, and sayis that sevin yearis hence, when he comes to Scotland, that he hopes to gett some of his breed. Yow shall excuse

me that he was so long of cuming, for this is the first that he gave away since the tyme that yea was here; and yow know that I wilbe euer reddy to serve yow or to doe yow any plesure that lyes in my power without any ceremonie, and therefor I will not vse many fayre words with yow, for that is needles amongis frendis, bot remember that I am a true Scottis man vnchengable, for all that I can sie heer, and so I think to continew by Goddis grace to my lyves end. Thus recommending yow to the protection of God, I rest ever your loving freend to do yow service,

D. MURRAY.

WHYTHALL, 9 Januar 1609.

FROM THE EARL OF MAR.

TO MY VERY LOUING CUSING THE LAIRD OF GLENORQUHY.

LOUING CUSING,—Being cumed in to stay in this toun a good part of this vinter, I think my greatest sportt shalbe the huntine of the fox, thairfor I will earnestly intrett you to send me with this berar a couppill of good earth doggs. This is my first charge sens your father died, and I prey you ouss me alls familiarlie as I doo you, for without ceremonie, Cusing, you shall nott haue a freind ouer quhom ye haue gritar pouar than ouer me.—Your louing Cusing to doo you seruice,

MAR.

STERLING, the v of Nouember 1631.

Quhat ye send me latt itt be good altho itt should be bott on.

FROM THE LORD TREASURER AND TREASURER DEPUTE.

TO THE LAIRD OF GLENWRQWHY.

SIR,—These ar to intreat yow to do all dilligence to caus slay and send in to his Maiesties house at Halyrudehouse, against the threttene day of Junii instant, suche sortis of venesone and wyldfoullis as ar to be found within your boundis, and so frome weik to weik dureing his Maiesties aboad within this

kingdome, and to evrie ane of his Maiesties seuerall howssis quhair his Maiestie salbe for the tymis, conforme to the list of his Maiestie's jestis heirin inclosed, als fresche and in als dew tyme as convenientlie you may. Not doubting of your love to his Maiesties service, we rest youris gude freindis,

MORTON.

TRAQUAIRE.

HALYRUDHOUS, 6 Junii 1633.

His Maiesty commeth to Halyrudhowse the xv of Junii, and stayeth till the first day of Julij, quhilk night he will be in Litquhow, the next twa nights in Stirling, from that to Dunfermling i night, from that to Falkland foure nights, and from that to Halyrudhowsse, and thaire during pleasure.

FROM JOHN DICKSON.

TO THE RIGHT WORSHIPFULL HIS MUCH HONOURED FREIND THE LAIRD OF  
GLENORQUHY THES.

MUCH HONOURED SIR,—Immediatlíe after the receat of your letter on Saturday, I went and shew your capercaillyie to the king in his bed-chamber, who accepted it weel as a raritie, for he had never seen any of them before. I have been telling your man that I have a mind to send a letle tronk with some of my wifes and my oune best clothes to the Highlands, and therfor, as I desire rather to be beholden to yow then others, so I must in this calamitous tyme crave pardon to be so far troublesome to yow as to desire that yow wold any time within this fortnight send one of your tennants with a naige and creiles on him with the bearer heiroy, also to cary the said litle tronk to your house of Finlary, ther to remaine till I have occasion to dispose on it; which courtesie of yours I sall be ready to acknowledge really by all the service which God in better times sall enable me to doe unto yow. And howsoever I sall still remaine, Sir, your worships affectionat servant,

JO. DICKSON.

PERTH, the 3 of Februar 1651.

## FROM KING JAMES VI.

TO OUR TRUSTIE AND WELBELOUED SIR DUNCAN CAMPBELL  
OF GLENURQUHAY, KNIGHTE.

JAMES R.—Trustie and welbeloued, Wee greete yow well. Hauing understood that ther is in your boundes a white hinde, wee haue sente this bearer, one of our seruantes, to take and transporte her hether unto us ; and becaus that contrie is altogether unknowne to him, we haue thought good hereby to recomende him to yow most earnestlie, requiring yow to assiste him and cause him be furnished with all thinges necessarie, as well for taking of the said hinde as for his oune interteynment ; and nothing doubting of your best endeouour for accomplishing of this our pleasour, wee bid you farewell. Giuen at our manour of Theobaldes, the 13th day of Januarie 1622.

## FROM SIR PATRICK MURRAY.

TO MY HONORABILL CHEIFF THE LAIRD OF GLENVREQUEY THEIS.

NOBLE CHEIFF,—I haue reseaued from the Earll of Mar a packet of letters concerninge the takinge of this trublesum whyt hynd of yours, and hes delyuered and red them to his Maieste, he beinge not weill of a payne in his legs, I dar not seye the gutt. His Maiestie is weill plesed with you for the caire you haue hed to forder his Maiesties desyr in all things concerninge this bissines of takinge theis deir ; and seing his Maiestie fynds be Scandoners owine letters and all yours that it is a hard mater ather to tak hir or carey hir to the sea, by resone of the difficultie and hardnes of the place and hard tyme of the yeir ; and fyndinge also be his Maiesties owine experience that iff sche cane not be takine befor May or June, beinge so laitte in the yeir, that iff sche prowie with calf mey indenger hir owine lyff and hir calf also, his Maiesties plesour is that sche schall not be sturde this yeir, and that his Maiestie will think of sum wther coursse befor the nixt yeir for the better effectinge of his desyrs ; and his Maiestie hes commanded me to wrytte wnto the Earll of Mar to send wnto all thois that bordors or marcheis

with Corrachaba that none presume to sture hir wnder his Maiesties highest displesor. And becaus his Maiestie will trye what Scandoner can do be his arte, he hes wryttine his letters to the Earll of Pearthe, that he mey mak tryell in Glenartnay for takinge of sum deir and rois now presently, that he mey, be his tryell their, judge what he cane do heirafter in Corrachaba. I hawe downe you the best officeis that lyis in my power to his Maiestie, bothe in this and in all wther things that schall ather tuiche or concerne you, as I am bound in dewtie of bloud to do. Thus, with the remembrance of my trewe loue to yourself and all yours, I rest your werie assured freind and kinsman to serue you,

P. MURRAY.

THEABOLLS PARK, the 9 of Marche 1622.

His Majestie dothe not a lytill wounder that he that has liued chast from wemen except his owin quein all his dayis, schuld be trubled with the gutt, and you that hes so largely bestowed your talentt amongst them schuld skaipe bothe gutt and wther diseissis, bot his Maiestie is werie glaide that you hawe your helthe so weill.

WALE.

FROM KING JAMES VI.

TO OUR TRUSTIE AND WELBELOUED SIR DUNCAN CAMPBELL OF  
GLENURQUHAY, KNIGHTE.

JAMES R.—Trustie and welbeloued, wee greete yow well. Wee have understood as well by your letter to our seruant Sir Patrik Murray as by the reporte of our seruant Scandoner, your careful and earnest endeouris for the performance of whatsoever yee can imagine to tende to our seruice, and likewise your speciall care and good enterteynment of Scandoner himselfe, which, as it hath giuen him occasioun to speake of that our kingdome in generall and of yow in particulare as of people deuitfullie deuoted to their prince and well affected to strangers, so wee give yow moste heartie thanks for the same. Wee haue also, by your letter to Sir Patrik Murray, understood your honest

offer for bringing of deere into Glen Aumonde, which, as it hath proceeded of your speciall desire to procure our contentment, so wee verie well esteeme thereof, and therefore desire you to go on, assuring you that thereby yee shall do us verie acceptable service, whereof, when occasion shalbe offered, we will not be unmindefull. Farewell. Giuen at our Mannour of Theobaldes, the 24th day of Julie 1622.

FROM KING CHARLES I.

TO OUR TRUSTIE AND WELBELOUED THE LAIRD OF GLEANWRQUHIE.

CHARLES R.—Trustie and welbeloued, wee greet yow well. Whereas we haue giuen warrant unto Alexander M'Naughtan gentleman of our priuie chamber in ordinarie for levying two hundreth bow-men in that our kingdome, for our service in the war wherein we are engaged with France; and being informed that the persones in those high countries are ordinarlie good bow-men, we are hereby well pleased to desire yow to use your best meanes to cause levy such a number of them for our said seruant as possiblie yow can, he performing such conditiones with them as are usuall in the like cases, which we will tak as a speciall pleasure unto us, whereof wee will not be unmindfull when any occasion shall offer whereby we may expresse our respect unto yow. So we bid yow farewell. From our court at Windsore, the 12 of August 1627.

FROM THE LORDS OF SECRET COUNCIL.

TO OUR RICHT TRAIST FREIND THE LAIRD OF GLENURQUHE.

After our very hartlie commendatiouns. Whereas the kings Maiestie is most solícite and desyrous that the tyme of his being at Perth there may be a show and mustour mad of hielandmen, in thair countrie habite and best order, for the better performance quherof these ar to intreate and desyre yow to single out and conuene a number of your freinds followers and dependers, men personable for stature, and in thair best array and equipage, with trews, bowes, dorloches and others thair ordinarie

weapouns and furniture, and to send thame to the said burgh of Perth vpon Mononday the eight day of Julii nixt, quhereby his Maiestie may receave contentment, the countrie credite, and yourselfie thanks; and so looking for your precise keeping of this dyet in maner foresaid we committ yow to God. Frome Halyrudhous the xxix day of Junij 1633. Your verie good freinds,

G. KINNOUL, *Cancellarius*.  
MORTON.

WIGTOUN, TULLIBARDIN, LAUDERDALE, MELUILL

FROM THE EARL OF LAUDERDALE.

TO MY VERIE HONORABILL AND LOUING COUSIN SIR COLIN CAMPBELL  
OF GLENURQUHAYE, KNIGHT.

SIR,—I haue beine thir manie yeris verie desyrous to haue firr tries to grow with me, and doe find by prooffe that the soorest waye to make them prosper is to saw them in the seid; and hearing that yow maye command greatt stoire thereof, if I shall make bold to be your beggar and heirby entreatt that yow wald be pleased to send me sum good quantitie therof that I maye caus my awin gardiners win itt, I houp yow will not take itt in ill pairt from your varie affectionatt cousin to serve yow,

LAUDERDAILL

HALIEROODHOUES, 8 of Februar 1637.

FROM THE SAME.

TO MY VERIE HONORABLE AND WELBELOUED COUSIN SIR COLIN CAMPBELL  
OF GLENURQUHAY, KNIGHT.

SIR,—I haue resaued from this bearer the firr seid which I maid bold to wrytt for, and must heirby not onlie return yow many humble thanks but lykewayes entreatt that if anie thing which is in my power in thir pairtes can be usefull to yow, yow wald be pleased with als greatt friedome to command, your verie affectionatt cousin to serve yow,

LAUDERDAILL

LETHINGTOUNE, the penult of Februar 1637.



## FROM THE MARCHIONESS OF HAMILTON.

HONOURED COUSING,—I resauid your lettir and your feir seid, and geiuis you harttily thankis for your cair in sending them to me. Belieue me, I think moir of them nor ye can imagin, for I loue them moir nor I dou al the frouit tris in the wordil. I haue alrady ane four or fayf houndir of my auin planting, that is pratti treis, and deid dereckly weith them as ye set doune in your lettir; bot my sounne louis them no les nor I dou, and hes wilit me to plant a greit manay meie, quhich meid me trobbil you for this year; and as ye haue takin painis for me, I must requist you to gar prouayd soun of the seid for me.

Lord Linsay, my good sonne, he is ane warie grit planter of his eig as euir I kneue anay, and I am glaid to cherich him to it; He will send ane hors and man for ane leid of them within ten or tual dayis, and I must requist you to gar haue them rady. He hes takin in ane greit baunis for them. He can win the seid himselue, as he hes sein me dou, so ye wil only neid to send him the noutis. In quhat he can, I sal be bond to you ye sall find him caynd. So, wicking you al happines, I rest, your affectioned cousing to poure,

ANNA CUNYNGHAME.

## FROM JAMESONE THE PAINTER.

TO THE RICHT HONORABLE THE LAIRD OF GLENVRQUHIE THES.

RICHT HONORABLE,—I receawed the hundreth merkis fra this berar, for the quhilk I shall indewor to do yowr worship better service heirefter; and as for the picturis quhilk I am yeit to maik I shall do all diligens to get theam with the first occasione, bot it will be in Janvarij befor I can begin theam, except that I hawe the occasione to meit with the pairties in the North, quhair I mynd to stay for tuo monethes; and if ether ther or heir I can be able to do yowr worship service, I shall be moist willing, and ewer to remane your worships servand,

GEORGE JAMESONE.

EDINBURGH, 13 October [1634.]

FROM THE SAME.

RICHT HONORABLE,—I receawed yowr worships letter with ane measure concerning the maiking of soume picturis, quhair of sextine of theam ar set doune in not. I will werie willinglie serwe yowr worship, and my pryce shall be bot the ordinarie, since the measure is just the ordinarie. The pryce quhilk ewerie one payes to me, abowe the west, is twentie merkis, I furnishing claith and coulleris; bot iff I furniss ane double gilt muller, then it is twentie poundis. Thes I deall with all alyk; bot I am moir bound to hawe ane gryte cair of your worships service, becaus of my goud payment for my laist imployment. Onlie thus your worship wold resolwe at quhois charges I mist go throwe the countrey to maik thir picturis, for all that are heir in town neidis onlie yowr worships letter to theam to causs theam sitt, and for theam quhois picturis I hawe allreadie, I shall double theam, or then giwe yowr worship the principall. So, leawing this to yowr worships consideration and ansuer, I shall ewer remaine, your woirships willing servand,

GEORGE JAMESONE.

EDINBURGH, 23 Junii [1635.]

If I begin the picturs in Julii, I will hawe the sixtine redie about the laist of September.

FROM MR. W. BOWIE, TUTOR TO THE SONS OF GLENFALLOCH.

TO THE RICHT HONORABLE AND HIS ASSURED GUDE FREND ROBERT CAMPBELL OF GLENFALLOCH THESE.

RYCHT HONORABLE SIR, . . . I receavit from the berar heirof ane hundreth merkis without anie lettir, for he said that he tint the lettir ye gaiff him. He brocht also with him thre kye, ane quharof wes brandit, ane vther blak, the thrid wes dyn. I wald haiff writin the compt of thingis furnest to Jhone since this tyme twelfmonth, and Duncanis since his cuming, bot my wyffe quho knew sundry particularis therof wes in Edinburgh; bot it salbe sent with the nixt berar, God willing. The bairnis, blissed

be God, ar weill. The freiss that wes sent to be thame clothes, thair wes maid ane cott and brekis to Duncan thairof, and ane cott to Jhone. Ye wald send alsmekle cloth as wald be ane gown to Jhone, and his old gown wald serue for ane gown to Duncane. The berar spak sumthing to me of freiss to be Jhone ane garment of clothes, bot I will luke for your lettir mair particularlie. Jhone wilbe ane schollar, God willing, if he be nocht interrupted. Duncane beginins weill, God saiff him. So nocht having forder for the present bot remembering my commendationis of service to the lady your bedfallow, committis yow both with the rest of your children to God his eternall protection. I pray yow haiff ane speciall cair of your dochteris, for I trust in the mercy of God that your ladis salbe gude men. Assure the lady your wiffe, that I sall haiff ane speciall cair vnder God, of hir sonnes that ar heir, and requeist hir nocht to think long eftir thame. The dowblet ye caust mak to Duncane is now vp at the slot of his breist. Ye wald say that he wearis his belt as men sayis Mr. George Buchanan did weare his, the dowblet is growen so schort. I wott nocht how your ministeris of Ergyle and Bredalban wilbe handit with your Bischopis, bot all the honest men of the ministrie heir luikis for nothing bot the werst, for the Bischopis and they will nocht agree with ws heir; for everie honest minister in all our eist partis will rather leave thair ministrie or they yield in one jot to the Bischopis. God mak your ministeris thair honest and constant men, for we heir thair is mony slim amongis thame, that or they quyte the bannok they will quyte a gude conscience. God of his mercy be with yow, and restis your awin, efter the old maner,

Mr. WILLIAM BOWIE.

Duncan mon haiff ane vther dowblet.

HADINGTOUN, the 16 of November 1619.

Thair wes tuo of the xx mark peceis rouned and far les then the thrid wes. If they will pass, I sall put thame soone frome me.

## VIII.—P. 414.

## THE THANE OF CAWDOR'S WESTERN JOURNEY, 1591.

THE following extracts are taken from a little book of sixteen leaves, which notes the Thane's personal and travelling expenses from 20th September to 7th November 1591. The first three days' expenses are given in full; afterwards only extracts.

ALEXANDER CAMPBELL THE LARD OF CALDER HIS PURSMAISTERIS  
COMPT.

In Taylone the xx day of September 1591 resaut fra Johne  
Caldar i<sup>c</sup> merk

Item deliuerit to Makconchie Stronechormicheis man the  
same day, that brought the aquavytie vj s. viij d.

xxi day of September being Tysday.

Item giffin to the gall boyis wyfe in Innerrera y for your  
denner in meit v s.

Item fyve quartis aill viij s.

Item ane quart wyne xij s. iiij d.

Item thrie muskingis aquavitye xv. s.

Item giffin to the gardiner for the peirs and plowmis he  
brocht unto yow in that hous iij s. iiij d.

Item giffin to the puir ther xxviij d.

Item giffin to the ferrioris for taking yow to Doundaraw fra  
Innerrera y vj s. viij d.

xxij day of September being Wednesday in Doundaraw.

Item giffin to the portar ther vj s. viij d.

Item giffin to the woman that maid your bedis ther  
vj s. viij d.

Item giffin to the cuik ther vj s. viij d.

Item to the boyis that ferreit owir out of Doundaraw v s.

Item giffin in Lochgyllisheid to the puire xvj d.

Item to the men of the boat that come with yow to the  
Carrik out of Lochgyllisheid xij s. iiij d.

Item giffin to the boy that ye send out of Doundaraw to  
Lochgyllisheid to provyd ane boat for yow vj s. viij d.

Item to ane boy of your awin ye send bak to Doundaraw for  
the venesone, to be his expenssis to Striveling vj s. viij d.

xxiiij day of September being Fuiresday in the Carrik.

Item giffin ther in the Carrik to the portar vj s. viij d.

Item to the men of the boat that came with your servandis  
to Camsranniche vj s. viij d.

xxiij day of September being Fryday in Dounnone.

Item your boyis supper upone Fuiresday at even, being four  
boyis iij s. iiij d.

xxv day of September Satterday.

Item giffin in Downnone to the servand woman that maid  
your beddis in John Dowis hous vj s. viij d.

Item giffin to the gudewife of the house for four quartis aill  
and twa queyt braid brocht to your chalmer viij s.

Item giffin to the ferrior of Finlestoun for ferreing Alexander  
and your haill boyis ij s.

Item to the ferrior of the wattir of Levin iiij d.

Item your collatioun in Downbartane that nicht Satterday  
at evin in Johne Boquhannanis hous, ane point of Spenis wyne

x s.

Item ane quart aill ij s.

Item ane queyt braid viij d.

Item giffin to Donald Campbell my Lordis chalmer boy that  
he geve to Grenokis boy that came with the hors to the ferrie  
syd vj s. viij d.

xxvj of September being Sonday.

Item giffin to yourself in the morneing in the kirkhaired to  
put in your nepiking end to the puire ij s.

Item your collatioun that nycht at even upon Sonday in  
that same house, ane point wyne Sak x s.

Item ane quart aill ij s.

Item ane queyt braid viij d.

xxvij of September being Munounday passit out of

Downbartane to Glesgow.

Item giffin to Johne Caldar to pay for your hors being four

in numbir quhilk came to Downbartane upon the xxij day of September and remanit ther till Munounday at ten houris the xxvij day of September, for ther stray xx s.

Item giffin to Johne Caldar to pay for ther corne induring that space lvj s.

Item for half pek of malt to your broun geldin iij s. iiij d.

Item for braid to your geldin enduring that space, v s.

Item for candill xj d.

Item giffin to Johne Caldar his wage fra the xxij day of September at none till Sondag in the morneing the xxvj of September xx s.

Item the twa boyis wage that keipit your hors, Glassan and Michell, fra the xxij of September being Wednesday till xxvij of September being Munounday at evin xv s.

Item giffin to Panttone his wage fra Satterday at none the xxv till Mounounday at evin the xxvij day of September iij s.

Item to James Deusour and his halk fra xxvj of September till Munounday at evin the xxvij xij s.

Item the cuik Daudid for that space viij s.

Item your chalmer fie for twa nyctis Satturday at evin and Sondag in Johne Boquhannanis hous xij s. iiij d.

Item giffin for oyling your buttis ther xij d.

27 of September 1591.

Item quhen ye lichtit in Glasgow upon Munounday eftir none at twa houris ye came to your lodging in Androw Baillies hous the gude wyfe brocht to yow to your chalmer the lairdis Ellangirrik Barbrek Nether Craignes with uthiris money gentill men and refusit to drink na uther drink bot wyne Sak, of wyne Sack thrie pointis xxx s.

Item ane quarter queyt braid viij d.

Item for penis xvj d.

Item ane quart aill xx d.

Item your collatioun at evin on Munounday the same per-sones with yow all ane point Spenis wyne x s.

Item ane point of Frence wyne vj s. viij d.

Item ane quart aill xx d.

Item ane braid viij d.

xxviij of September being Tysday.

Item giffin to Effie Campbell for your dischone, the haill  
barronis and gentill men foirsaid with yow for biff, mowtoun,  
soddin and rostit keponis, braid and aill xl s.

Item for ane quart Spenis wyne xx s.

Item ane point France wyne vj s. viij d.

Item ane musking aquavytie vj s.

Item your collatioun et evin on Tysday, the haill baronis  
and gentill men foirsaid with yow, ane point of Spenis wyne x s.

Item ane point France wyne vj s. viij d.

Item ane quart aill xx d.

Item ane queyt braid viij d.

Item giffin to the toun pyper vj s. viij d.

xxix day of September being Wednesday.

Item that day eftir none in your chalmer with certane of the  
Cambellis of Angus with yow, ane chopine wyne v s.

Item your collatioun that nycht at evin, the haill foirsaidis  
barronis and gentill men with yow, ane point of Spenis wyne  
x s.

Item giffin to John Gillianis wyfe, that wes awin hir for aqua-  
vytie quhilk scho sent to Edinburgh at the Lairdis command  
derezit to Effie thereanent with Panttone the Lairdis awin  
seruand, and also for the wessellis that the aquavytie was intill  
xviij lib. xv s.

Item to Johne Calder for twa new gerthis and setting ane  
bowkill upon your geldingis hawsing gerth ix s.

The last of September being Fuiresday.

Item giffin for ane new skabart to your heland sowrd cutting  
and dressing and ane new fisch handall xx s.

Item for ane new schorne bit to your geldin vj s.

Item to the sowrd-slipperis boy, drink silver xij d.

Item to John Londie playar on the lut vj s. viij d.

The first of October being Fryday.

Item giffin for ane queyt bridill to the geldin broun xij s.

Item giffin to the Lawland harper vj s. viij d.

The second of October being Satterday.

The thrid of October being Sonday.

Item to the cordiner for dressing and treeing your buttis  
iiij s. iiij d.

Item in corne eftir the said raikning	iij lib. xij s.
Item in strae	lvj s.

Item for maill to your gelding . . . . . ij pekis ij s.

The fourth of October being Munounday in Litgow.

Item giffin to Glassan to rin to Clarkintoun xij d.

The fyft of October being Munounday in Edinbrughe.

Item your collatioun in Peit Lindsayis hous, Mr. James Wardlaw with yow, James Harvie, Alexander Campbell and Johne Calder, everay man v s. xxv s.

The saxt of October being Wednesday in Edinbrughe 1591.

Item your dischone in Peit Lindsayis hous, the hail band of  
gentill men being with yow, by wyne extendis to xl s.



Item thrie pointtis of wyne quherof ane point of Spenis  
wyne xxij s.

Item to your cordiner Mongo Hendersone for his furnessing  
of schone sen ye come out of the norland anno 1590 efter Mer-  
times as his compt bairis and als for ane pair of wait ledder  
schone furnessit to yow the same day extending in the haill  
v. lib. xij d.

The viij day of October being Fuiresday in Edinbrughe.

Item giffin to the blind puire man that playis throw the toun  
upon ane certane instrument xij d.

Item giffin to Alexander Makkessake to drink with the ansor  
of the lettres he brocht fra the Pryor and his awin maister out  
of Striveling iij s. iiij d.

The viij of October being Fryday in Edinbrughe.

Item for ane quinzdor to yourself xxiiij s.

The ix day of October being Satterday in Edinburghe.

Item in John Tamsones house in Litgow this day eftir none  
as ye lichtit ther, ane point of Spenis wyne x s.

The x day of October being Sondag in Litgow.

Item giffin to Tullibarnes boy that come with the gray naig  
that Tullibarne lent unto yow to Litgow his wages on Satterday  
at evin and Sondag in the morning as ye commandit your self  
xl d.

Item for braid that your twa hors gat at evin that nycht,  
with the broun cursour v s.

Item giffin to the litill boy that held your hors viij d.

Item Johnne Calderis wage fra Sondag at evin eftir supper the  
thrid of October till Sondag at evin the tent of October lij s.

x October 1591 in Stirling.

Item your collatioun in Kathereen Paleis hous, Ellangerrik  
and uthir barronis with yow, ane point of Spenis wyne, ane  
point Frence wyne xvj s. viij d.

The xj day of October being Munounday in Stirling.

Item to the cutlar for scharing away the handis of your knyffis  
viij d.

Item ane point Spenis wyne in the morneing or ye passit to  
my lord, certane of the gentill men with yow x s.

The xij October being Tysday.

Item giffin to the ferrior of Forth for your ferreing Alexander  
Campbellis and your hors ye trystit my Lord Morray in Doun  
xxij d.

Item in Doun to the boy that led your hors ij s.

Item giffin to Angus Liche to mak by sic thingis neccessar  
for Collin to tak his disais away l s.

xij October, Stirling.

Item your collatioun at evin in Kateren Paleis, my Lord  
Morray with yow, ane point Spenis wyne x s.

The xiiij day of October 1591, being Fuiresday in Lithe.

Item for braid to your hors the morning xl d.

[15th October still in Leith.]

The xvj day of October being Saturday in Sterling.

Item giffin to Dowglas the daft hussie .vj s. viij d.

Item for baiking the hors braid in loiffis xij d.

Item giffin to the stabillar for your hors on Munounday at  
evin, the tent of October, being fywe hors in number on Maun-  
ounday all nycht Tysday all nycht and Fryday all nycht sax  
hors, your littill naig all nycht on Wednesday and on Fuiresday  
all nycht, ilk hors in the nycht twa s. extending in the haill  
to xlvj s.

Item sevin dowsand of braid to your cursour and broun  
geldin, ilk hors the day as ye commandit your self to Johne  
Calder viij braid, four braid at everay wattering to the hors,  
pryce of the braid ij d. extending in the haill to xxi s.

[On 17th and 18th October still in Stirling.]

xix October being Tysday in Sterling.

Item to Gillespik the fule .vj s. viij d.

Item ane point of Spenis wyne to your chalmer or ye raid  
to Kilbryd x s.

xxiiij October being Sondag in Stirling.

Item the Laird come at x hours at evin to Stirling, Johne

Calder and Wattie Boquhannan with him with sindrie utheris  
that sat at the buird, the gud [wife] tuik for your meit onlie

xxiiij s.

xxv October 1591 Munounday ye left Stirling and come  
to Edinburgh.

Item giffin to the smyth for schoing Lochboy x s.

Item giffin to Angus Liche his waige, quha enterit thairto  
in Stirling to await upone the bairne Collin the thrid day of  
October being Sonday at nyn houris in the morneing, till Wed-  
nesday xxvij day of October, ilk day viij s. summa ix lib. xij s.

Item his man his wage the dayis fairsaid xxxvj s.

Item for ane point Spenis wyne ye drunk in John Thome-  
sones hous, the bischope of Argyll with yow x s.

xxvj October being Tysday in Edinburgh.

Item your dischone in Mr. James Wardlaw his chalmer twa  
dowsand pennie pyis ij s.

Item twa menschattis xij d.

xxxj October being Sonday in Edinburgh.

Item to the begaris at the kirk doir viij d.

The first of November being Munounday in Edinburgh.

Item giffin for ane pair of buttis to yourself xl s.

Item to Gillecrist to tak him to Argyll and the littill naig  
xiiij s. iiij d.

6 day of November being Satterday in Edinburgh.

Item giffin to Michell Libertoun for poling your heid  
vj s. viij d.

This compt was maid in Edinburgh the vij day of November  
1591 yeiris.

Summa of Alexander Campbellis resait xiiij<sup>xx</sup> xij lib. ij s.

Summa debursit of the fairsaid sowme of resait

xij<sup>xx</sup> xvij lib. iiij s.

Sua restis on Alexander

xij lib. vi s. x d.

JANE LAUDER.<sup>1</sup>

<sup>1</sup> The widow of the murdered Thane.

## IX.—P. 414.

## THE MURDER OF JOHN CAMPBELL OF CAWDOR.

THE preceding accounts show the Thane engaged in a western journey, probably on the affairs of his kinsman the young Earl of Argyll, whose guardian he was. It is said to have been through jealousy of his holding that office that the Thane was murdered in 1592.

The history of his murder we have to gather from various sources, chiefly the records of the Court of Justiciary, and Gregory's *History of the Highlands and Isles*.

The Thane of Cawdor and Sir James Campbell of Ardkinglas (Comptroller) were at first the acting guardians of their chief the young Earl of Argyll. When the Comptroller died, his son John Campbell of Ardkinglas, who succeeded him in the office of guardian, became jealous of the superior influence of Cawdor in the management of the Earldom, and perhaps bore a grudge on account of the affairs of the Isles, where Cawdor supported Angus of Isla and Donald Gorme, while Ardkinglas helped the M'Leans. Partly from these motives, partly, perhaps, instigated by malcontents of his clan who had joined the league of which Huntly was the chief, and one fruit of which was the slaughter of the bonny Earl of Moray at Donybristle, Ardkinglas undoubtedly planned, and apparently superintended the murder of Cawdor. It is certain that, in February 1591, the Thane was treacherously killed by a shot of a hackbut, fired from a window of the house of Knepoch in Lorne. The actual assassin was MacEllar, and the immediate director of the murder, a certain John Oig Campbell of Cabrachan.

The thing was done in Argyll's bounds, and the immediate instruments of an act so outrageous to the power of the Earl were soon brought to punishment. John Oig, before his execution, being put in the Boots, confessed his own guilt, and spoke to the complicity of Ardkinglas and Dunolly. His widow, Margaret Campbell, corroborated his evidence, and added the fact of Ardkinglas having tampered with witchcraft, in the hope of obtaining the favour of Argyll. Ardkinglas, under the threat of

instant torture, confessed himself guilty of the murder of Cawdor, and spoke to a wide-spread conspiracy against Argyll and his brother. That confession he afterwards revoked in the following instruments, both from the Charter room at Taymouth :—

ARDKINGLAS TESTIMONIAL AT DUNOONE.

I Johne Campbell of Ardkinglas testifies afoir God and takis it on my saull that it that I subscriuit and spoke anent oure Contract of Conspiracie againis my chief and maister the Erle of Argyll and his lordships brother the Laird of Lundie quhill Contract wes said be me wes subscriuit be the Erll of Huntlie and Glencarne and be my Lorde Maxwell, my Lorde Chancellor and be Sir Duncan Campbell of Glenvrquhay Knycht, Archibald Campbell of Lochnell, Duncan M<sup>c</sup>Dowgall of Dunnollich and Johne Stewart of Appin. I testifie before God that thair wes never sic ane Contract maid or menit, but only inuentioun inuentit to eschew the trouble that might follow on me for Calderis slaughter. And as concernyng the samyn slaughter I tak it likwyis on my saul afore the great juge that nether Glenvrquhay nor nane levand nor dead wer airt and part nor knew of it except myself, John Oig Gillipatrik Oig and Gillimartin his brother and Duncane Campbell Donaldsone, and testifies afoir God that I am sorrowfull in saull and in mynd anent the said slaughter and I testifie to all and sindrie thir premissis be thir presentis subscriuit with my hand at Dunvne the first of Julii the yeir of God IM V<sup>e</sup> fourescoir fouretene yeiris befoir thir witnessis, John Erle of Mar, Sir Hugh Campbell of Lowdoun, and Mr. Neill Campbell Bishope of Argyll.

ARDKINGLASS TESTIMONIAL BEFOIR THE MINISTERIE OF GLESGUOWE.

Be it kend till all men be thir presenttis me Johne Campbell of Ardkinglas that forsamekill as I being detenit captiue within the castell of Carnnaistrie as suspect for consentting foirknowledge airt and pairt of the murther of umquhill Johne Campbell of Calder, umquhill Johne Oig Campbell of Cabrachane being suspect and accusit for the same cryme nocht onlie deponit the weretie of the said murthour bot also to the effect

his burdein and pvnischment therfoir mycht be the easier eschewit, subtile inventit and fenyait ane conspiracie to haif bein interprysit aganis my lordis awin persone and his brotheris quhairvpone he allegit ane band to haif bein maid and set downe thairannent, allegit subscriuit be the erill of Huntlie, Glenorquhaye, Lochinayell and dyuers vther nobillmen to the number of sevin or aucht personis, that be the slight and calumnious invention his former confessioun concerning the murthour of the Laird of Cadell mycht be the easier louping our, quhilk band he allegit to haif bein in my keeping; and I being detenit captiue within the castell of Carnnaistrie vpone the suspitioun of the said murthour of Caddell, my lord haiffing apprehendit ane jelsie vpone the said umquhill Johne Oig subtill and fals depositioun, drectit the provest of Kilmone, the Commisser of Inuernes and Maister Donald Campbell naturall sone to the vmquhill Laird of Caddell to examinat and interrogat me vpone that speceall heid of the said Johne his depositioun concerning the band and conspiracie allegit intendit aganis my lord and his brother; with ane speceall commissioun, gif I sould nocht delyuer the said band and reveill the leill circumstancis thair of conforme to the said Johnnis depositioun, to put me to the present tortor, quhilk thaye brocht in thair companie with thame and minassit and threatenit me dyuers tymis thairwith, Nochtwithstanding I declairit be my bodelie aithe to thame vndir the handwrett of Dougall M<sup>e</sup>airthour Sheref Clerk of Argyll that I nevir knew sik ane band nor conspiracie nather be word nor writ. Neuirtheles persaweand that nathir my aithe nor purgatioun could awaill me, bot of force athir behovit I to depone and affeirme Johne Oigis depositioun to be trewe, or vtherwais to get no credeit and abyde the present tortor and demanyng of my ennemeis, quhairthrowe I wes constrainit compellit and foirsit for feir of the present danger nocht onlie to ratefie and aprowe the foirsaid fals depositioun maid be the said Johne concerning the conspiracie allegit intendit aganis my Lord and his brothers lyif, in mair ampill and speceall forme thane the said Johne Oig sett it downe, be mentionatting of dyuers nobill mens namis, sik as I wes maist bund and adettit to in the cuntraye, that the mater mycht seim

the mair credibill, bot also to mak my awin pairt concernyng the murthour of Cadder the lichter, I allegit the samin to be inventit be the laird of Glenorquhay, and he be his band and faithfull promeiss to haif fortfeit and assistit me thairintill ; albeit as the Lord knawis and as I sall ansuer to his Majestie at the lattir daye, I onlie did it for eschewing of the present tortor and feir of my lyif, luiking according to the resone of fleche that sum moyane sould be maid be friendis for me in the maintyme, at my Lordis hand ; protestand befor God and his holie angellis that I newir knewe sik ane band nor conspiracie intendit againis my lord and chief nor his brother be onye of the saidis nobillmen aganis quhom I vterit furthe sik calumneis as ar contenit in my depositioun at Carnnaistrie nor be na utheris leifand or deid be word or wreit, nathir yit wes Glenorquhaye ewir airt or pairt be word or wreit of the murthour of the vnquhill laird of Cadder, lyik as I testifeit at Dunnvne being captiue, in the monethe of

fourscoir fourteen yeiris in presens of my lord and chief, the erll of Mar, the Sheref of Air and the Bischope of Argyll. Swa nowe being at libertie and freedome, for relief of my awin conscience and removing of suspitioun fra the innocent, does testefie be my great aithe and handwreit and vpone the parrell of my saluatioun, all thir premissis to be of trewth. Dyittit, wreittin and subscriuit with my hand at the Laiche Kirk of Glesguowe the penult of Maii 1595 befor thir witnessis Maister Johne Cuper and Maister Johne Bell Ministers at Glesguowe and Robert Chrynsid of Possill commisser of Glesguowe.

We vndirsubscribeand being requyirit be the rycht honorabill Johne Campbell of Ardkinlas to conveine with him in the Laiche Kirk of Glesguowe to confer with him annent the resolutione of his conscience trewlie with the sicht and wecht of his greit sinnis, eftir dyuers suitis and intelligence haid of his estate, nocht willing our far to deject and cast downe ane penitent sinner, yieldit ; and eftir dyuers ressonis in the place foirsaid at last he presenttit befor us this his declaratioun, chargein us to testefie the same to be his wrietten and subscriuit with his hand. Efter conferens in that mater withe him and haiffing adiured him befor the leving God to declair to ws gif it wes done of dissimulatione for wairdlie respectis or as movit in conscience for

that particular, and being resolvid be him thair of, we causit him writ and subscriue the same our again with his awin hand for our better warrand, and therfor dois testefie that this is his awin confessioun wreittin and subscriuit be himself quhill we do witness be our subscriptione manuall, daye, yeir and place befor mentionat. . . .

Little weight can be attached to the confession of Ardkinglas, extorted by the threat of torture, and perhaps not much more to his second, and this his third and more solemn statement, which, with all the clergy present, was so evidently dressed for a purpose.

The government of Scotland was never weaker, nor more open to all bad influence, than in the years preceding James' accession to the English throne. Ardkinglas was powerfully backed, and the king appears to have condescended to a juggle to save him from the penalties of the law, while he assumed the semblance of urging on its ministers to do their office. On September 17, 1596, in the High Court at Edinburgh, "Johne Campbell of Ardkinlase was dilatit of airt and pairt of the crewall murthour and slauchteris of umquhill Sir Johne Campbell of Calder knycht and umquhil

McInturner wechman of the place of Tanestrie." The Justice-Clerk produced a warrant by the King requiring him to proceed in the trial; the King's Advocate produced a similar mandate (they were then too common, for the King interfered the more as he more felt his weakness). Ardkinglas was present and took instruments of his compearance. Another and another day he offered him "ready to abide the trial." At length, on 23d September, "the Justice, in respect nane of the King's advocates compeirit to persew him, desertit the dyet and ordanit the cautioner of the said Laird of Ardkinglas to be relevit."



## X.—P. 416.

## HOW ISLA WAS WON.

ISLA, the ancient inheritance of the Lords of the Isles, and long the seat of their almost independent kingdom, was esteemed by the Western Celts of fabulous fertility, and its possession proportionally coveted. After the successive forfeitures and destruction of the direct line of its old Lords, it became the prey of the strongest, and with its fortress of Dunyveg, was the "Castle Dangerous," won and lost in succession by the leaders of the wild clans of the isles. The following renunciation is the first announcement of the great enterprise, which the Knight of Cawdor had for some time meditated, of obtaining possession of this rich territory. The granter, among his clansmen, was known as *Angus mac James, mac Alister, mac Ian cathanach, mac Ian, mac Donald Balloch, mac Ian mor, mac Ian of Isla*, first Lord of the Isles. In the Parliament House and Courts of Edinburgh, he was well known as *Angus Macdonald of Dunyveg*, crown tenant of many lands in Isla, and father of Sir James M'Connell, the Thane's brother-in-law, who had been "warded" first in Blackness and then in Edinburgh Castle, since the year 1604; and who was tried and sentenced to death in 1609; but no time fixed for executing the sentence, and was still a prisoner in the Castle of Edinburgh.

## [RENUNCIATION BY ANGUS MACDONALD, Abridged.]

Be it kend till all men me Angus M'donald, forsamekle as I have instantlie receavit fra the richt honorabill Sir Johne Campbell of Calder, the soume of sex thousand merkis, thairfoir witt ye me to have renuncit dischargit and overgevin, fra me and my airis, to and in fauoris of the said Sir Johne Campbell all richt tytil propertie and possessioun quhilkis I ather haid hes or ony wayes may have in and to the landis of Ilay possessit be me and my subtenentis, and pertaining to our Souerane lord the kingis maiestie in propertie, binding and oblessing me and my foirsaidis neuir to trubil inquiet nor molest the said Sir John nor na utheris his tenentis. At Edin-

brucht 1 Januarie 1612 yeiris, befor thir witnes Johne Stewart of Aschcok Alexander M<sup>e</sup>donald of Lergie Johne Stewart burges of Rossay and servitor to me the said Angus.

ANGUS M<sup>e</sup> DONALD off Dunivaig.

Soon after the cession of his claims to the island of Islay, the old chief of Islay died. His kinsman, Sir Ranald Macdonald, the son of Sorley Buy (afterwards Earl of Antrim), had, in the meantime, obtained a tack of the island, but had not peaceable possession of it. The castle of Dunyveg, for a short time garrisoned by the Bishop of the Isles (Andrew Knox) for the Government, had been surprised; and the Bishop himself, led into a trap by the sons of the old chief—brothers of the captive of Edinburgh Castle—was obliged to leave his son and nephew in the hands of the rebels, as hostages for his performance of some conditions, especially for doing his utmost to obtain grants by the sovereign in their favour. The Scotch Privy Council do not seem to have been much influenced by the Bishop's undertakings, nor by the peril of the hostages, but turned in search of some one, of power and means sufficient, to reduce the castle and island, and to pay a high rent to the Crown for the possession afterwards.

The Thane of Cawdor offered the required rent, and satisfied the Council that he could perform the task of bringing the Islesmen to obedience, with such slender help of cannon and ammunition as the Scotch Government of that time could afford him. So much being settled (and "relying upon his Majestie's gracious acknowledgment eftir the service be well accomplieissed," as writes Secretary Lord Binning to Patrick Hamilton at Court), he set forth on his expedition to win his island kingdom. The following documents mark in some degree his progress in his undertaking, and some of the earlier precede, in date, the Crown Charter, which conferred on Sir John Campbell of Calder and his heirs-male, heritably in feeferme, "the Yle and landis of Ylay and Rynnis and middle waird of Ylay, Ilyntassan, with the castell toure fortalice and maner place of Dwnyvaig."—(*Reg. Mag. Sig.* 21 November 1614; ratified in Parliament 1621.)

ADVICE gevin be the LORDS of his MAIESTIES PRIUE COUNSAILL to the LAIRD of CADDELL his MAIESTIES LIEUTENANT in Ila anent his proceedingis in executioun of his MAIESTIES COMMISSIOUNE aganis the REBELLIS detenaris of DUNAVAIG 22 October 1614.

Since his Maiestie hes trustit yow with this charge and hes tane so substantiuous ordour for furnessing sex canones with all requisit provisiounes and twa hundred waiged souldiers to assist yow in that charge, it is expedient that ye prepair sufficient number of able and weill armed men to serue yow in this imployment, with all necessars requesite for assidging the hous of Dunavaig and persuite of his Maiesties rebelles be sea and land, so as no prouisioun of airmes poulder victuall bullet fewall boates nor uther necessars meit for that seruice be lacking, to the effect that his Maiesties Inglisch companies quho ar to sie and obserue your actiounes may find no defect of things necessar and semelie for a man trustit with so honourable a charge.

In your going to Glesgow delyver to the Archbischope and to the prouest and bailyeis our letter, and confer wyth thame anent the best and reddiest meanis to moue sum honest and responsall merchandis of ther toun or cuntrie to carie sum flour or good biscuite with sufficient store of good aitmeill and good drinking beir, gif it may be had, and failying thair of gude aile that will keip weill, with salt and coales to be transportit be schip to Ila, for furneissing of his Maiesties Inglisch souldieris at reasonable rates and reddie payment to be maid be the saidis souldieris, wyth assurance to the merchandis that gif ony accident mak thair voyage not be sufficientlie profitable to thame, that such consideratioun sall be had and acknowledgement gevin to thame for thair losses be my Lord Thesaurar depute, as be informatioun from my Lord of Glesgow and the magistrates of that burgh to the Lords of secret counsell sall be fund reasonable.

Be cairfull to understand the dyet of his Maiesties companies to be sent to Ila with the cannone, and keip correspondence be letter and messages with the Lord Depute of Irland and thair

commandaris, using all diligence to be in the ile with your forces befor thair comeing thither, to the effect that gif it pleis God you may end the seruice to your honour and his Maiesties thanks befor thair comeing, and so spairing thair travell and his Maiesties chairges, yow may merite the more favour from his Maiestie.

And if thay come to the ile, tak strict ordour that your people abstene from geving thame ony offence be word or deid, and be the contrarie, command thame to dispose thame selues to gif the souldieris all conforte aid and freindlie assistance; and quhateuer salbe necessar ather for advancement of the seruice or thar reasonable eas and releiffe may be procured with all diligence and to that effect that your men boates and all freinlie menis be reddilie employed.

It is necessar that according to his Maiesties directioun the hous be of new chairged solemnelie and ordourlie, as als that the detenaris and refusaris to randir be denounced rebellis.

Yow must also chairge the tennentis of the ile to compeir befor the Counsale and find cautioune to obserue his Maiesties peace, and for thair compeirance so ofte as thay sall be chairged.

Such of the rebellis as God sall bring in your handis, yow must be cairfull to examine thame verrie exactlie for discouerie of the persones quho wer upoun the first deuyce of thair treasonable rebellious and taking the hous of Duneveg, and who hes sensyne incuraged thame be counsell help or assistance to persist in thair rebellious.

Use all possible cair and dexteritie to retire saiffie out of thair hands the Laird of Ranforlie and the bischope of the Iles sone.

If ather thair yeilding or force sall bring the hous in your powar, place thairin ane sufficient number of faithfull and skilfull men to quhome ye may trust the saife keeping of that hous quhill his Maiesties pleasour may be knawin, and let thame be furnessed with all necessaries that may inhable thame to keip it.

Becaus thair is ane number in the cuntrie quho haifeing assistit the traitoris ar not in the hous, which is not able to

conteane the whole number, be cairfull to apprehend als many of these as yow can and use thame as thay haue deserved.

Yow know his Maiesties mynd anent the principall rebellis.

Befoir yow leiu the ile setle perfyt ordour for establisching and mantening his Maiesties peice and obedience in it, and for protecting the peaceable inhabitantis from iniurie.

It is expected that ye will try thair consultatiounes aganis the bischoppe of the Iles his Maiesties Lieutennent, and all that usit disobedience rebellious and violence aganis him, and proceed with thame as ye sall think expedient for his Maiesties honour and obedience.

If the rebellis leiu the hous and ile, and, flie to any uther pairte of the iles or hielandis for thair saifetie, use your utermost endeavour for thair searche and apprehensione, and if ye learne of thair going to Ireland or any other part of his Maiesties dominiounis, adverteis such as hes chairge from his Maiestie of the places of thair refuge, that thay may be persewed and apprehendit.

Suche of the cuntrie people as haue accompanied the rebelles or furnished thame of commoditeis or intercommoned with thame, not voluntarlie bot be compulsione or just fear, must be used with discretione and reasonable fauour.

Faile not to send verrie frequent advertismentis to the Counsell of all your proceedingis and of your good succes in your chairge, quhilk we pray God to prosper.

BINNING.

R. COKBURNE.

G. MURRAY.

SIR W. OLIPHANT.

THE LIEUTENNENTIS COMMISSIOUN OF JUSTICIARE, &c. (Abridged.)

JAMES, &c. Forsamekle as Angus Oig M<sup>c</sup> coneill sone to umquhile Angus M<sup>c</sup> coneill callit of Dunaveig according to the unhappie trade of his wicked predecessouries, hauing resoluit author be force or policye to disturb the peace and quiet of the yllis, in the monethe of March last, causit his awne bastard brother Ronald Oig M<sup>c</sup> coneill treasonable to surprise and takeoure castell of Dunavaig in Yla frae the reverend father in God

Andro bishop of the ylis who had the keiping thairof; and the said Angus falslie pretending that he wald do some piece of service to us by recoverie of the said house from his said brother, whom he onlie usit as ane instrument to be the first authour of his rebellioun, he in a simulat manner maid a pretendit persute and assedgeing of the said house, and the same being recoverit, he to gif a forder schaw and appeirance of the sincerite of his proceidyngis, causit four of the said Ronald his compliceis to be schaimfully murdreit and slane. The said Angus has also treasonablie refusit to rendir the said hous, quhen he was chargeit be our utheris letteris, for the quhilk he and his compliceis ar denunciit our rebellis and put to our horne. And immediatlie thereafter they fortifeit the said castell with men victuall powder and bullett, and hes keipit the same as he dois yet as ane house of warre agains us and our autoritie. And whereas it wes falslie pretendit be him and his complices that thair keeping of the said hus procedit upon feare that the taking thereof without commissioun nicht bring them in danger of our law, we for removing all such suspitioun, wes graciusslie plesit to grant unto thame oure fauour and pardoun for all thair bigane offensis conditionale that they wald rander the said house to the said bischop as oure lieutenant conforme to thair promissis. And the said bischop haueing laitlie in the moneth of September last, past to Yla, and looking that thay wald haue renderit thair obedience to us and maid deliuerance of oure castell, thay did not onlie most undewtifullie reiect and contempne oure grace, but to oure forder contempt, they and Ronnald M<sup>c</sup> James M<sup>c</sup> donald, Donald Gorme his sone, Ronnald Oig M<sup>c</sup> allaster, Johnne M<sup>c</sup> coneill, Ronnald M<sup>c</sup> soirle, Soirll M<sup>c</sup> Crume, Malcoun M<sup>c</sup> ilfersane, Hector M<sup>c</sup> caishe — M<sup>c</sup> eane sometyme Mr houshald to umquhile Angus M<sup>c</sup> coneill of Dun-nyvaig, Coill M<sup>c</sup> ronnald, Archibald M<sup>c</sup> ronnald, Soirll M<sup>c</sup> allister, Malcolm M<sup>c</sup> leod, Allaster M<sup>c</sup> eane, Angus M<sup>c</sup> achane alias M<sup>c</sup> allaster, who are all combyned in this rebellioun, did amasse togidder and associat unto thame selffis the haill inhabitantis of the maist part of our ile of Yla, and first haueing most falslie and treacherouslie haldin the said bishop in fair termes, as gif nothing had bene intendit be thame bot in all humilitie to seik

peace, in end quhen thair haill power and forceis wer joynd to-gidder to the number of sevin or aucht score of personis, thay than in the nicht addrest thame selffis to the pairt quhar the said bischop and his company lay, and first thay brak his haill boitis, and than lay about the bischop and his company all that nicht, and upon the morne, thay in oppin hostilitie kythit thame selffis aganis him with mony threatening speitches to haue massacred him and his company, and in end forceit him to rander unto thame [Thomas] Knox his awne sone and [John] Knox of Ranpherlie his nephew as pledgeis that he sould do and performe such conditionis as thay inioyned unto him. And we understanding the good affectioun and willing dispositioun of oure richt trustie and weilbelouit Sir Johnne Campbell of Caddell knyght to do us seruice, thairfore we with aduice of the lordis of oure secrete counsaill haue maid the said Sir Johnne oure Lieutennent and Justice within the haill boundis of Yla, geuand to him oure full commissioun to convocat our leigeis in airmes, to deuyde thame in seurall companyis, to appoint capitanis and comanderis over thame, and to conduct direct and lead thame to Yla, and thair to follow and persew with fyre and sword the said Angus Oig M<sup>e</sup> coneil Coil M<sup>e</sup> gillespick and remanent personis, and to commit thame to waird quhill justice be ministrat upoun thame, and siklyke to persew and assedge the said castell of Dunnyvaig and all uther houssis and strenthis quhairinto the sadis traytoris sal happin to flee, and to raise fyre and use all kynd of force for wining and recouerie thairof; and gif in persute of the saidis rebellis, it sal happin the saidis rebellis to be hurte slane or mutilat, we will and declair that the samin sall not be impute as cryme nor offence to oure said lieutennent; and we dispensis . . . lieutennent and justice courtis within the saidis boundis at quhatsumeuer tymes and places conuenient, all and sundrie personis apprehendit be him to call, be dittay to accuse, and thame to the knowledge of ane assyse to put, and to caus justice be ministrat upoun thame: With power alsua to oure said lieutennent to tak ordoure how oure said cuntrey of Yla may be retenit and halden under oure obedience, and to appoint constables and keiparis in oure said castell of Dunnyvaig: With

power alsua to him to tak ordoure that no boitis gallayis  
umfaddis scautis nor birlingis go oute of Yla, and generallie all  
uther thingis requisite to do and use . . . . Geuin under  
oure signet at Edinburgh 22 October 1614.

Per actum secreti consilii.

JA. PRYMROIS.

RANNALD M<sup>o</sup> JAMES BAND TO SIR JOHNE CAMPBELL.

Be it kend till all men me Rannald M<sup>o</sup> James V<sup>o</sup> donald  
takand the burden on me of Donald Gorme M<sup>o</sup> donald my sone,  
that forsameikle as we being delaitit and declairit to his Ma-  
jestie and counsall of the rebellious taking of the fortalice of  
Illanlochgorme in Illay, I be thir presentis for my selff and for  
the said Donald my sone faithfullie bindis and oblisses me to  
rander and delyver to the right honorabill Sir Johne Campbell  
of Calder knicht his Majesties lieutenant of Ilay the said ile  
of Illanlochgorme betwixt and the twenty aucht day of this  
instant moneth of Januar, and sal becum his Majesties trew and  
faithfull subiectis, and in evidence of the premissis we bindis  
and oblissis us to do and kythe our selffis trew subiectis and  
faithfull serwandis in his Majesties seruice aganis the rebellis.  
At Balnactan 24 January 1615, befoir thir witness Mr Donald  
Campbell of Barbrek Lochaw, Colin Campbell of Boith, Johne  
Oig M<sup>o</sup> murquhie leiche in Ilay.

RANNALD MAKJAMES V<sup>o</sup> DONALD  
with my hand tuiching the  
notaris pen.

The leech signs with his own hand thus—

JOHNE M<sup>o</sup> MURCHIE  
Doctour off medicine witness.

[APPROBATIO REGIA, *abbreviata*.]

Jacobus dei gratia Rex, etc. salutem. Sciatis quia nos con-  
siderantes prudentissimo ac felici nostro regimine statum  
regnum hoc nostrum sub perfecta et solida obedientia stabilitum  
esse, ac nullam aut perexiguam rebellionem intra aliquam par-  
tem eiusdem aperte professam esse preterquam in Illa insula, ac



in nefandis ac exlegibus illis rebellibus vulgo Clandonald nuncupatis, qui cum ipsorum sociis arcem nostram Dunyvaig ac insulam de Lochgroome nuper proditorie intercipientes ac redigentes, ipsaque magno numero rebellium pulvere sulphureo globulis ac tormentis instructorum munientes ad resistendum nobis nostrequae auctoritati. Cuius consideratio quemadmodum in animo nostro regio indignationem regalem procreavit tam exiguum manipulum nefandorem et rebellium in contemptum nostrum tam diu grassari tolleratum esse, ita nos decreuimus nomen ac memoriam infamis illius tribus omnino abolere ac suppressere vel ad obedientiam nostram reducere ; ac nos varia consilia circa executionem nostri decreti agitantes, tandem deprehendimus nullum aptiorem esse cui dicti negotii cura committeretur fido ac dilecto nostro subdito domino Joanne Campbell de Calder milite, non solum ratione propriarum eius virium amicitie ac nervorum ad dictum seruicium exequendum, verum etiam respectu preteriti speciminis et bone experientie quam habuimus de quondam patris dicti domini Joannis fide et diligentia variis preteritis magni momenti negotiis ipsi per nos cum in insulis cum contra varios montanos commissis, in quibus bonum ac felicem successum perpetuo habuit. Quemadmodum dictus dominus Joannes nobis specimen sui fidelis seruicii prebere (prout dictus eius quondam pater nobis prius fecerat) libentissime cupiens, non solum curam negotii contra eos e dicta tribu Clandonald, verum etiam varias alias instructiones contra dictam insulam in se suscepit, in quibus varia bona officia prestitit, in quorum prosecutione non solum propriam personam suasque vires ac robur et personas robur ac vires amicorum familiarium impendit, verum etiam ipse ac varii nobiles amici eius qui se illi adiunxerunt, sese in eodem tanta prudentia fortitudine et dexteritate gesserunt, ut eorum opera factum sit ut varii dictorum rebellium deprehensi necati ordine justicie morte multati sunt ad nostrum honorem ac magnum solatium bonorum subditorum, adeo ut nomen illud de Clandonald jam quodam modo extinctum sit, et de tota illa tribu non ultra persone superstites sunt qui rebelles sint preter et ultra numerum primariorum ducum dictorum rebellium qui jam in vinculis per dictum dominum Joannem

justiciario nostro presentandi sunt. In quo seruitio dictus dominus Joannes et socii non solum coacti sunt proficisci contra dictos rebelles dispansis vexillis more militari sclopettis vulgo hagbuttis muscatis pistollis aliisque hostilibus armis, necnon tormentis muralibus et colubrinis vulgo culveringis ad dictam arcem de Dunyvaig obsidendam et quassandam instructi, unde multa in dicto seruitio acciderunt que in bellicis negociis ac nostre voluntatis ac commissionis in talibus casibus exequutionibus recitata sunt et que ut evitarentur vix fieri potuit. Ac nos agnoscentes quam egregie dictus dominus Joannes eiusque amici sese in dicto seruitio gesserunt, idcirco invenimus et decernimus dictos dominum Joannem Campbell aliasque personas viz magistrum Donaldum Campbell in Barbreklochhow Archibaldum Campbell fratrem domini de Laweris Archibaldum Campbell in Dunstafnege Colinum Campbell in Kilcarmowkill Archibaldum Campbell in Inneraw Colinum Campbell de Both fidelissimum sincerum ac gratum seruitium nobis prestitisse in obsessione et occupatione dicte arcis de Dunyvaig tormentorum ac colubrinorum nostrorum subversione dicte insule de Lochgroome, ac apprehensione incarceratione cede mutilatione morte exilio aut pena pecuniaria omnium et singularum cuiuscumque status [personarum] ac salui conductus et diplomatis concessione talibus e dictis rebellibus qui sese tradiderunt, in acquirenda ipsis remissione nostra, ac in exequutione omnium aliorum hostilium factorum per dictum dominum Joannem eiusque antedictos commissorum. Quemadmodum nos ratificamus autorizamus et approbamus omnia antedicta facta super quibus ulla actio criminalis seu civilis concipi seu fundari poterit. Preterea nos ex speciali gratia remisimus omnem indignationem animi nostri sectamque regiam que nos contra eos habere seu mouere poterimus. In cuius rei testimonium presentibus magnum sigillum nostrum apponi precepimus. Apud regiam nostram de Quhytehall 20 Aprilis 1615.

Early in the year 1615, the Knight of Cawdor, with the help of Sir Oliver Lambard's cannon, had taken the castles of Duni-veg and Lochgorme, and ruled undisputed sovereign in the island of Isla. He and the Lords of the Council were planning the repression of the bands of M'Donalds and their followers,

now mere marauders and pirates on all the shores and seas of the West, when they were startled by the intelligence that Sir James M'Donald, so long a prisoner, had escaped from Edinburgh Castle (24 May 1615), and was hastening to put himself at the head of his Clan, to gather round him the scattered outlaws of the isles, very ready to follow so daring a leader, and to recover his inheritance. The Council seemed at first paralysed and helpless, and Sir James with a few followers, dashed through Atholl and Rannoch in safety, and met with no opposition in the Isles. The men of the north isles flocked to his standard. Isla was his first object. He surprised the castle, subdued the island—the natives evidently favouring him rather than the Campbells; and then he sent out the fiery cross, and overran his hereditary territory of Kintyre. But his success was short-lived. The Council, compelled to some exertion in support of law, placed the affair in the hands of Argyll, though evidently unwillingly; and the head of the Campbells, with some soldiers hired at the public expense, an expense sorely complained of by the Council, speedily brought the war to a conclusion. There was, indeed, no open war, no pitched battles. Equally in Kintyre and in Isla, M'Donald's undisciplined followers fell from him; and Sir James himself, almost singly, escaped to Ireland, and from thence to Spain. This remarkable person's career was not to end even there. After Argyll's apostasy and disgrace, and when he too had taken refuge in Spain, Sir James M'Donald returned to England, was restored to royal favour, and died a pensioner at London (1626).

We should err if we counted this last chief of the old race of Isla a mere Celtic savage, as those who drew his indictment seem to have held him. He was no doubt unscrupulous like his time and his country, and human life was not then held in much respect in the Isles; but Sir James, with the virtues of the savage, had some tinge also of civilisation, and some qualities perhaps acquired during his long imprisonment. He was a reader, and he writes to his friend Lord Crawford very anxiously about books he left behind him in prison, and some that fell into the hands of his pursuers when he himself narrowly escaped. These were chiefly controversial books of the old religion, all indeed but one, a "mekle old cornikle in writ."

Though his early exploits show him reckless of blood, in later life he was not cruel, and sometimes spared his enemies when in his power. His letters, many of which are preserved and have been printed, show a touch of feeling and of self-respect, and of what was due to his ancient race, with a straightness and manliness of expression that contrast favourably with some of the lawyer's letters among which they are found.

His wife, Margaret Campbell of Cawdor, the daughter of the murdered Thane, attended him at his trial when the Advocate assigned him by the Council feared to defend him. After his escape, he puts his friend the Earl of Crawford in mind of some promise of assistance to his wife, whom he must have left behind,—“Remember on our last discourse that same nicht I braik ward, anent Margaret.” The documents illustrative of his romantic life are to be found in the Records of Secret Council, and among Secretary Binning's letters, in the Advocates' Library. Most of them have been printed or used in well-known publications—Gregory's History of the Highlands and Isles, c. 7, 8 ; Pitcairn's Criminal Trials ; “The Melros Papers” (Abbotsford Club), &c.

The following paper shows that Argyll recognised the right of the Thane of Cawdor to the island of Isla ; and the immediate effect of the defeat and dispersion of the M'Donalds was the restoration of Sir John Campbell to the property of the island.

[ASSIGNATION OF ESCHEAT OF THE CLANDONNELL.]

Be it kend me Archibald erle of Argyle Lieutenent to his Majestie oure the illes, and donator to the whole escheittis of the Clandonnell and thair complices his hienes rebellis, for certane soumes of money payit to me be my weilbelovit cousin Sir Johne Campbell of Caddell, thairfoir to haif maid him and his airis my very lawfull cessioneris in and to the whole debtis soumes of money takis possessiounis insicht plenisching cornis cattell guidis and geir pertening the saidis rebellis inhabiting the boundis of Ilay, fallin to me as escheit be vertew of his hienes gift, &c. At Dunovaig 11 October 1615, befoir thir witness Colen Campbell of Abirurquhill Archibald Campbell his brother Mr Donald Campbell of Barbrek Lochow.

ARGYLL.

## XI.—P. 429.

ACCOMPT OF THE CHARGE AND EXPENCES FOR MANTEINANCE OF  
THE FAMELIE OFF CALDER, TO THE HOUSE AND THE POOR.

Item of meall and malt	220 bolls.
Item of slaughter cowes, more then my own fold can afford, being 12, at 20 merks the peice	240 merks.
Item for 12 ston sheugar	180 merks.
Item for salt, irne, sopp, winiger, and all other spices,	400 merks.
Item for sack wyne and brandie	180 merks.
Item for tobaco and pypes	50 merks.
Item for reneweing of linine for beadds teable and shirts	200 merks.
Item for renewing of weshellis potts pannes dishes trinceris candlestickis barrels and weshells for brew-house kitchen and milk house	100 merks.

## SERVANTS FEIES.

To a cheplane	100 merks.
To the gentleman	
To the butler	60 merks.
To the cook	60 merks.
To the cooks man	20 merks.
To the porter	20 merks.
To the cotchman	30 merks.
To the two footmen	50 merks.
To two gentlewomen	150 merks.
To the chambermaid, three byrewomen and dairy maid	15 merks.
Summa totalis	2015 merks.
In victual extends to	320 bolls.
To the greive	12 bolls.
To the gardiner	12 bolls.
To the maltman	10 bolls.
To the sheepherd	5 bolls.
Totall victuall to pay the abov wrytten accompt is	561, 3.

## XII.—P. 473.

## DR. CLEPHANE'S JOURNEY TO KILRAVOCK.

DR. CLEPHANE paid his first visit to his sister in 1750. Among his papers are some notes of his journey, which, slight as they are, may be worth preserving if only to show a railway age how the traveller of last century hailed the great invention of turnpike roads. The miles in England are throughout distinguished as (*m.*) measured or statute, and (*c.*) computed miles. In Scotland (*l.*), long miles mean the old Scotch miles of sadly indefinite length, but properly equivalent to about a mile and a half statute measure.

"Dr. Clephane's journey from Scarborough to Kilravock, 1750. Came to Scarborough July 6 ; left it September 1.

"To Pickering 12 *c.* miles, and measures 19. From Pickering to Helmsley 9 *c.* miles ; 12 measured. Kirby-moor-side lies between Pickering and Helmsley, and is 4 *c.* miles from the latter. (William of Wickham.) Wickham Abbey is about 5 miles from Scarborough, between that and Pickering. At Pickering (which belongs to the Crown, but is on lease given to Commissioner Hill, who lives at Thornton, about three miles from Pickering), are the ruins of a castle with seven towers, etc. Lay at the White Swan, Jackson's.

"At Helmsley, Mr. Duncombe's ; and the ruins of the Duke of Buckingham's castle. *N.B.*—He did not die at Helmsley, but in a little ale-house at Kirkby-moor-side.

"From Helmsley, bad road to Northallerton, 12 *c.* miles, and 19 measured. 6 miles to Kapwick, which is at the foot of Hambleton, and 6 more from Kapwick to Northallerton. Road and descent down to Reeves Abbey (Rievaux), and ascent to Hambleton, very bad, stony, and narrow for carriages. Over the heath of Hambleton, road good ; but the descent from Hambleton to the vale of Thirsk, down to Kapwick, is very bad. From Kapwick to Northallerton 6 *c.* miles, some bad lanes, but the rest pretty tolerable.

"Northallerton small, new-built village, 33 *m.* miles from York. (The Golden Lion, Richardson's.) From Northallerton to Darlington 16 *m.* miles ; fine turnpike road. Half way is

Smeaton-on-the-Tees ; and within 2 m. miles of Darlington you come to Crofts, the last village in Yorkshire, after which you enter the Bishopric of Durham, after you pass the bridge over the Tees at the turnpike, just two m. miles from Darlington. Darlington larger than Northallerton. Many new-built houses. *N.B.*—All these towns seem to feel the advantage of the great road.

“From Darlington to Durham 19 m. miles ; *i. e.* to Ferry-hill 12 m. miles ; from thence to Sunderland-bridge 3, and 3 or 4 to Durham. *N.B.*—The county of Durham very fine ; Durham—old, ill-built, dirty town—lies low, but the cathedral high ; situation of the cathedral and course of the river very remarkable. The river is the Weir. Inn, Marshall's, at the Green Dragon. Roads all fine turnpike.

“From Durham to Newcastle 14 m. miles. Chester-in-the-Street about half-way. Newcastle, narrow dirty streets ; old ill-built houses ; ascents and descents very bad ; water scarce and not good, much of it being tainted from the coal-pits, etc. The closeness and dirt of the town would make me suspect they must have the nervous fever pretty much among them, of the hospital or jail kind.

“North-Shields 7 miles from Newcastle, down the Tyne. Tynemouth half a mile farther ; and near the sea stood the old castle and church or monastery of Benedictine monks. Tynemouth fort, or Clifford's fort, between Shields and Tynemouth ; the bar is on the south of the cliff where the old castle is, and seems to be very narrow, and consequently difficult to take. A kiell is 8 chalder. The kiell-men will make 8 tides in a week, and that is, to the foremen, about  $3\frac{1}{2}$  shillings, and to the man that steers, 5 shillings ; so that these fellows will earn from 25 to 28 shillings per week. *N.B.*—Just by Chester-in-the-Street is Lumley Castle.

“From Newcastle for Edinburgh, hired a chaise and pair of horses for four guineas ; but I am to pay the turnpikes.

“The country from Newcastle to Morpeth is but indifferent, something like Scotland ; the country about Morpeth better. From Newcastle to Morpeth is 14 m. miles. Morpeth lies on a river called Winspeck river ; some pretty good stone buildings in it. From Morpeth to Alnwick 19 miles turnpike. Country here and there pretty good, but mostly open. Castle of Alnwick

belongs to Lord Northumberland, with a considerable estate thereabout of the Somerset family. Morpeth is a Parliament town : Alnwick not. Alnwick is but 5 miles from the sea.

"For 5 m. miles out of Alnwick towards Belford you have turnpike road ; you have here and there a bit—and it will be done in a little time—quite through to Belford. From Alnwick to Belford  $14\frac{1}{2}$  m. miles. Belford small inconsiderable place, not far from the sea. The country opens more and more, and liker Scotland. No house here but the post-house. From Belford to Berwick-upon-Tweed is 15 m. miles ; not so stony as that from Alnwick to Belford ; but if you can get the sands, take them ; they are shorter.

"Berwick—the bridge—river—harbour—bad entry—barracks—magazines, etc. Tweedmouth, a few houses at the bridge-end, is not subject to the town, nor is it in Northumberland, but belongs to the county of Durham, as does another little place two or three miles from Belford towards Berwick. *N.B.*—At Tweedmouth, Mrs. Humphrey's a good house.

"From Berwick to Old Camus 16 m. miles ; road tolerably good ; a good deal of it over moors. In the way is Eaton, 7 m. miles from Berwick, and 10 from Old Camus. *N.B.*—Old Camus is in Sir John Hall's estate ; and two miles from his house, Dunglass. From Old Camus to Beltonford is ten c. miles, and measures near 14. On the road, about two miles from Old Camus, is Sir John Hall's house, Dunglass, but a little way from the high road. Here the country opens, pretty full of gentlemen's seats, with a full view of the sea and Bass, etc. ; clumps of trees ; an open corn country. From Berwick to Old Camus is the Merse ; but past Dunglass or the Glass Mills, which belong to Sir John Hall, is East Lothian, a very fine open corn country, full of country seats. The next to Dunglass, which is on the left of the great road, is Broxton (Broxmouth), the Duke of Roxburghe's, on the right ; then Sir John Warrender's, by Dunbar, etc. etc. Over the Tyne from Beltonford is Lord Haddington's seat, Tiningham, etc. East Lothian fine country. From Beltonford to Edinburgh there are two roads ; the higher by Haddington, but the longest and worst road ; the other, by Bangley brae-foot, is said to be the best and shortest. From Beltonford to Bangley brae-foot is 8 c. miles ; and from thence to Edin-



burgh is 10 c. miles. The 18 c. miles measure 26. From Beltonford you pass by Seaton, Prestonpans, and Preston, and so to Musselborough and Edinburgh, the road all along being at a little distance from the sea.

(A sheet lost.)

... "Dundee, 12 m. ; Arbroath, 8 l. ; Montrose, 8 l. ; Bervy, 8 ; Stonehith, 12 ; Aberdeen, 12 l. ; Old Meldrum, 14 ; Strathbogy. *N.B.*—Well at Arbroth, a chalybeate ; to the taste seems weaker than Tunbridge ; about the strength of Sunning-hill. At the Ship, Bruce's. Arbroath a small place. Montrose cleaner, and on the whole better built than Dundee. Bervy a poor place. Stonehith better. Aberdeen greatly more considerable than Dundee ; buildings better. Strathbogy is in Banff (!), has a linen manufacture lately established ; belongs to the D. of Gordon.

"From Strathbogy to Keith 6 very long miles, and two bad stony hills. From Keith 6 miles to Fochabers are not so long ; pretty good road. Fochabers sad place. Bog-a-Gicht miserably furnished ; old, irregular castle. Spey is just without Fochabers—sometimes *guéable*. To Elgin, 6 ; good road ; short miles.

"*N.B.*—Miles very long in this country ; cannot go above three miles' journey riding. Why miles so long ? Have you read Rabelais ?

"Elgin ; old church and monastery ; a great deal of building. Any records about it ? Poor-looking people—well situated : the river, with one high bank, goes round half the town. From Elgin to Forres 8 long miles ; very good road. From Forres to Nairn is 8 miles ; and from Nairn to Kilraick is 5 miles ; but from Forres to Kilraick directly is 12 miles.

"*N.B.*—A certain Lord having asked a gentleman what great advantages Murrayshire had over other counties, was told three—that they had forty miles of better road than in most counties ; almost always better weather ; and the third was, that they had but one Lord among them (Lord Murray), and he had no interest or following.

"Murrayshire, the bounds of it are nearly the Spey and the Ness. From Nairn to Inverness is 12 miles."

## XIII.—P. 331.

INDENTURE BETWEEN THE LORD OF DALKETH AND SIR JOHN OF  
HAMYLTOUNE—(TRANSLATED).

THIS Indenture made at Dalketh 1 November 1388 between noble men Sir James of Douglas lord of Dalketh on the one part and Sir John of Hamyltoun lord of Cadyow on the other part, contains and witnesses that between the parties foresaid it is accorded in form as follows, namely that the said Sir John, God willing, shall take to wife and marry Jacoba of Douglas the second daughter of Sir James : which Jacoba the foresaid Sir John shall make be infeoffed in conjunct fee in the whole barony of Kinele with pertinents and with services of free tenants, in the constabulary of Lynlythqw within the sheriffdom of Edynburgh : To have and hold to the foresaid Jacoba and the heirs lawfully to be procreated between her and the foresaid Sir John ; which heirs also the foresaid Sir John shall make constitute and ordain his true heirs and lawful successors of all lands to him pertaining within the kingdom. For making of which marriage and conjunct feofment the foresaid Sir James of Douglas shall give and pay to the foresaid Sir John of Hamyltoun the true annual value of all his lands which the said Sir John possesses in property, the day of this convention, according to what by faithful recognition of the old extent of the said lands it may be ascertained to extend to in annual value : And moreover the foresaid Sir James of Douglas shall give and pay to the foresaid Sir John of Hamyltoun, immediately after the completion of the said marriage and of the conjunct feofment, the half of the old extent of all the tenements which are held of him in chief by ward and relief anywhere within the kingdom : For the faithful making of which payment the foresaid Sir James of Douglas obliges himself and his heirs to pay to the foresaid Sir John of Hamyltoun immediately after the completing of the said marriage and conjunct feofment, a hundred merks of Sterlings, and thereafter annually at each term of Pentecost and Martinmas fifty merks of Sterlings ; and so from year to year and from term to term, shall continue the said payment succes-

sively until the said sum of the extent of the lands and tenements foresaid to the foresaid Sir John and his heirs shall have been fully paid. And if it happen, which God forbid, the said Jacoba to die without heir between her and the foresaid Sir John lawfully procreate, it is accorded between the parties foresaid that the foresaid Sir John of Hamyltoun and his heirs shall restore pay and refund to the foresaid Sir James of Douglas and his heirs such sum of good and usual money as the said Sir John received in marriage with the said Jacoba at such terms and place and in like manner as it had been before paid to him. And if, by any unfortunate chance it happen the said Jacoba, by the death of her brothers or otherwise, to come in future times to the inheritance and lordship of the said Sir James her father, which God forbid, both the parties foresaid will and grant that a son, whether elder or younger, who may survive between the said Sir John and the said Jacoba procreate or to be procreate lawfully, shall receive and enjoy that inheritance, assuming the surname of Douglas and the arms which the foresaid Sir James bears of hereditary right. And for the faithful fulfilment of all and each of the foresaid conditions both parties foresaid pledged their hands bodily (*manus corporaliter astrixerunt*). In witness whereof, to the parts of this indenture the seals of the parties are interchangeably appended, place day and year foresaid.

FINIS.

## GLOSSARY.



## GLOSSARY.

- A, 284, one.  
 Abone, 215, above.  
 Abowe, 520, above.  
 Acavite, 510, aquavitæ, whisky.  
 Adettit, 533, indebted.  
 Adjunit, 413, joined.  
 Advertit, 272, notified.  
 Afoir, 532, before.  
 Afor, 505, before.  
 Againis, 532, against.  
 Agane, 369, against.  
 Airt and part, 532, aiding.  
 Aisiament, 506, convenience.  
 Aithe, 533, oath.  
 Aitmeill, 538, oatmeal.  
 Aittis, 511, oats.  
 Alanerly, Alleanerly, 226, only.  
 Almus, 504, alms.  
 Alls, 514, as.  
 Als, 507, also.  
 Alsmekle, 522, as much.  
 Alsua, 506, also.  
 Amit, 393, lose.  
 Analeys, 504, alienates.  
 Ane, 291, a, one.  
 Anent, 393, toward.  
 Anent, 532, about, concerning.  
 Ansuare, 277, answer.  
 Appeairand, 272, appearing.  
 Appropreys, 504, appropriate.  
 Arguit, 506, blamed.  
 Argwn, 507, challenge.  
 Assolye, 392, absolve.  
 Assoor, 370, assure.  
 Assurit, 370, assured.  
 Attoure, 227, over and above.  
 Aucht, 406, ought.  
 Aucht, 369, eight.  
 Aught, 375, possession.  
 Auisytly, 507, attentively.  
 Auld, 392, old.  
 Aulde, 443, old.  
 Authoreiss, 357, authorize.  
 Aventale, 234, vizer.  
 Awa, 512, away.  
 Awin, 227, own.  
 Aye, 364, always.  
 Ayles, 445, alleys.  
 BAILYE, 507, officer.  
 Baine, 509, bone.  
 Bairis, 528, bears.  
 Bairn, 367, child; Bairn's part of gear,  
     a child's legal share of inheritance.  
 Bairn-teme, 363, family of children.  
 Baith, Bath, 364, both.  
 Ban, 363, curse.  
 Bund, 511, bond.  
 Bands, 511, hinges.  
 Bannet, 373, bonnet.  
 Bannok, 522, cake.  
 Barmekyn, 343, barbican.  
 Barrikin, 373, sort of cloth.  
 Bataling, 444, battlement.  
 Be, 277, by.  
 Beadds, 548, beds.  
 Beand, 215, 512, being.  
 Bearand, 215, bearing.  
 Bedis, 509, beds.  
 Begaris, 530, beggars.  
 Beginnand, 377, beginning.  
 Begwd, 507, began.  
 Beir, 511; bere, big.  
 Beircorie, 373, sort of cloth.  
 Beis, 309, be, is.  
 Berar, 512, bearer.  
 Beseikys, 507, beseech.  
 Betaught, 360, taught.  
 Beyn, 504, been.  
 Big, 363, build.  
 Biggit, Bygyt, 343, built.  
 Birlings, 543, galleys.  
 Black-maill, 361, protection money.  
 Bodelie, 533, bodily.  
 Boitis, 542, boats.  
 Bonds, 16, serfs.  
 Boord-cloaths, 510, table-cloths.  
 Bordoyris, 505, borders.  
 Bot, But, 342, without.  
 Bot-gyf, 507, unless.  
 Bouage, 385, a tenure of pasture.  
 Bowkill, 526, buckle.  
 Bow-houssis, 511, cattle-houses.  
 Box, Boocks, 361, vomits.  
 Braid, 524, loaves.  
 Braik ward, 547, broke prison.  
 Brake, 542, broke.

- Brandit, 521, brindled.  
 Brassine, 510, brazen.  
 Bray, 362, bank.  
 Brebennach, 152, the banner of St. Columba, kept by the Abbey of Arbroath.  
 Breist, 509, breast.  
 Brekis, 374, breeches.  
 Brekkys, 504, break.  
 Brewine, 511, brewing.  
 Brewsters, 383, brewers and alehouse keepers.  
 Broads, Brods, 349, pictures.  
 Brocht, 413, 524, brought.  
 Broiking, Bruiking, 392, enjoying.  
 Brouderit, 509, embroidered.  
 Brukyt, 504, enjoyed.  
 Buike, 348, book.  
 Buird, 530, table.  
 Burding, 413, burden.  
 Bure, 343, bore.  
 Buttis, 525, boots.  
 Bwrnis, 506, burns.  
 By, 227, beside.  
 By, 506, beyond.  
 By, 529, buy.  
 By-name, 277, nickname.  
 Candois, 378, ?  
 Callit, 343, called.  
 Cambridge, 373, cambric.  
 Cauld, 506, cold.  
 Causit, 277, caused.  
 Caust, 522, caused.  
 Caynd, 520, kind?  
 Chairged, 539, summoned.  
 Chalmers, 223, chambers.  
 Chalmer-fie, 527, room hire.  
 Chandlers, 511, chandeliers.  
 Chargeit, 379, loaded.  
 Claem, 505, claim.  
 Clamyt, 505, claimed.  
 Cloik, 276, cloak.  
 Coble, 385, a flat-bottomed boat.  
 Colys, 506, coals.  
 Common, For common, 285, commonly.  
 Communicat, 284, communicated.  
 Compeir, 277, appear judicially.  
 Compt, 528, account.  
 Comyn, 445, become.  
 Colpindach, 215, a heifer.  
 Conditionalle, 541, conditionally.  
 Coufeirmyt, 504, confirmed.  
 Contemptioun, 505, contempt.  
 Contentit, 392, 511, contained.  
 Centre, 393, country.  
 Conveine, 534, meet.  
 Conversi, p. 141, lay brothers of a monastery.  
 Cordiner, 374, shoemaker.  
 Cosing, 444, cousin.  
 Cott, 522, coat.  
 Counter cloths, 510, table-covers.  
 Craiges, 509, necks.  
 Craiftious, 272, skilful.  
 Craking, 228, chatting.  
 Cramosie, 510, crimson.  
 Creiles, 515, a pack-saddle.  
 Crewellie, 356, cruelly.  
 Cro, 397, penalty for slaughter.  
 Croce, 215, cross.  
 Crowne-bennet, 129, apparently the cap used in giving degrees.  
 Cuik, 523, cook.  
 Cumed, 514, come.  
 Cundos, Condosum, 105, a ridge.  
 Cupboord-cloaths, 510, sideboard cloths.  
 Cursouris, 511, stallions.  
 Cuttit, 357, cut.  
 Cuttles, 511, cutlass.  
 Cut-thrott, 509, short pistol.  
 Cwntray, 505, country.  
 DAFT, 529, crazy.  
 Dames, 510, damask.  
 Damnache, 507, damage.  
 Dauach of land, 7, what may be tilled by a plough of oxen.  
 Decidit, 505, decided.  
 Deid, 520, did.  
 Deit, 165, died.  
 Delaitit, 543, accused.  
 Deponit, 532, deposed.  
 Dereckly, 520, exactly.  
 Detenaris, 539, detainees.  
 Devisit, 223, devised.  
 Deyn, 507, dean; applied to any dignified churchman.  
 Differs, 449, differences.  
 Dinmont, 189, a wedder of the second year.  
 Directit, 357, directed.  
 Disais, 529, disease.  
 Diachone, 526, dejeuner, breakfast.  
 Discendit, 342, descended.  
 Distrenye, 392, distrain.  
 Distroublance, 393, troubling.  
 Doand, 512, doing.  
 Dochtir, 342, daughter.  
 Dominico, In Dominico, 188, in demesne; in the actual possession of the lord of the soil.  
 Donator, 409, holder of a gift.  
 Dorloches, 518, axes?  
 Dornik, 510, kind of linen.  
 Double, 521, copy.  
 Downe, 517, done.  
 Dowsand, 529, dozen.

Dredor, 504, dread.  
 Dredys, 507, dread.  
 Droid, 506, dread.  
 Duil-weid, 374, mourning clothes.  
 Dussone, 508, dozen.  
 Dwne, 507, done.  
 Dyet, 538, time fixed.  
 Dyittit, 534, dictated.  
 Dyn, 521, dun.  
 Dyteing, 310, dictating.

EARTH-DOGS, 514, terriers.  
 Effectioun, 513, affection.  
 Effekkit, 272, affected.  
 Eftyr, 272, after.  
 Eig, 520, age.  
 Ekit, 273, added.  
 Eldayst, 507, eldest.  
 Enach, 397, ransom.  
 Enambled, 508, enamelled.  
 Enewch, 512, enough.  
 Everilk, 443, every.  
 Ewyl, 504, evil.  
 Ewyn, 506, even.  
 Ewyr, 505, ever.  
 Eyre, 506, plough.

FADERIS, 504, fathers.  
 Faile, 433, turf.  
 Fain, 361, willing.  
 Fair fall thee, 387, good luck to you.  
 Fallys, 506, falls.  
 Fassit, 509, faced.  
 Fassoun, 445, fashion.  
 Faucht, 165, fought.  
 Feildine, 509, field.  
 Feir, 520, fir.  
 Fellon, 363, fierce.  
 Fens, 443, defence.  
 Fenyeit, 533, feigned.  
 Ferm, 11, rent; hence farmer.  
 Ferreit, 523, ferried.  
 Ferrioris, 523, ferrymen.  
 Fetterlocks, 361, ?  
 Feu, 345, a perpetual right of inheritance.  
 Fiar, 419, the person in the fee of an estate.  
 Fisch, 526, ?  
 Fluand, 272, flowing.  
 Forbearis, 392, predecessors.  
 Forceit, 542, forced.  
 For-quhy, 505, because.  
 Forsamekil, 223, forasmuch.  
 Fosses, 510, ?  
 Foster, 373, foster-child.  
 Found, 509, cast (metal).  
 Fra, 356, from.  
 Frathynfurth, 506, from thenceforth.

Freiss, 522, frize.  
 Froyte, 443, fruit.  
 Fuiresday, 524, Thursday.  
 Fule, 529, fool.  
 Fulyie, 386, filth, manure.  
 Fund, 308, 444, found.  
 Furnesing, 512, provisions.  
 Furnest, 521, furnished.  
 Furthcumand, 511, forthcoming.  
 Furth of, 277, out of.

GADERIT, 273, gathered.  
 Gaif, 506, gave.  
 Gaiff, 285, gave.  
 Gall, 523, ?  
 Gallis, 510, ?  
 Galnes, 397, satisfaction for slaughter.  
 Garment, 522, suit.  
 Gart, 507, made.  
 Gat, 505, got.  
 Gear, Geir, 362, substance.  
 Geiuis, 520, give.  
 Gelchach, 397,  
 Geldum, 23, a geld, a subsidy.  
 Gevis, 444, gives.  
 Gevyn, 443, given.  
 Gewand, 542, giving.  
 Gif, 369, if.  
 Girth, 215, sanctuary.  
 Glaslawis, 379, instrument of torture.  
 Good sonne, 520, son-in-law.  
 Goud, 521, good.  
 Governall, 443, government.  
 Grantit, 444, granted.  
 Greive, 548, farm-overseer.  
 Gresmen, 16, pasture tenants.  
 Gryte, 521, great.  
 Gud, 504, good.  
 Guid chepe, 228, good bargain (*bon marché*).  
 Guidis, 413, goods.  
 Guided, 446, used.  
 Gutt, 516, gout.  
 Gyfyn, 504, given.

HAFANDE, 443, having.  
 Haill, 227, whole.  
 Haillelie, 226, wholly.  
 Hakbuts, 509, muskets.  
 Haldand, 512, holding.  
 Haldyn, 506, held.  
 Half-hag, 424, short gun.  
 Halk, 525, hawk.  
 Haly, 392, holy.  
 Hamesukin, 356, assault in one's own house.  
 Handwrett, 533, handwriting.  
 Hangit, 353, hanged.  
 Hartlie, 512, heartily.



Has, 507, as.  
 Haugh, 126, an alluvial plain by a river side.  
 Havie, 413, heavy.  
 Hawd, 360, hold.  
 Hawe, 519, have.  
 Hawsing, 526, hawsing.  
 Heggings, 445, hedgings.  
 Heilthis, 512, healths.  
 Heirintyll, 507, hereto.  
 Heirschip, 343, of inheritance.  
 Herfor, 507, wherefore.  
 Heriot, 375, the best beast of a deceased vassal, due to his Lord.  
 Hes, 369, has.  
 Hewit, 373, coloured.  
 Hewyt, 507, hewed, cut.  
 Hiest, 393, 511, highest.  
 Hingings, 510, hangings.  
 Hog, 189, a sheep before it has been once shorn.  
 Hollie-work, 510, ?  
 Honorable, 512, honourably.  
 Horne, put to the horne, 357, denounced rebel.  
 Hosting, 375, military service.  
 Houndir, 520, hundred.  
 Houp, 519, hope.  
 Humell, 370, humble.  
 Hurdmen, 16, ?  
 Hus, 511, house.  
 Husband, husband-land, 192, a tenant and land of a certain amount; the rent 6s. 8d., besides services, in the thirteenth century.  
 Hyme, 505, him.

ILK, 401, that ilk, the same.  
 Ilkane, 392, every one.  
 Imbutet, 272, instructed.  
 Incesit, 223, increased.  
 Indewor, 520, endeavour.  
 Induring, 413, during.  
 Induris, 513, endures.  
 Infeste, 504, infeoffed.  
 Inhable, 539, enable.  
 Inlaik, 413, failure.  
 Inquirir, 277, inquired.  
 Inrun, 393, incur.  
 Insight, 511, indoors.  
 Intill, 526, in.  
 Inventit, 533, invented.  
 Irne, 548, iron.

JACK, 332, vest of mail.  
 Jests, 515, resting-places, *gites*.  
 Joicing, 392, enjoying.  
 Josit, 507, enjoyed.  
 Justifeit, 353, brought to justice.

KAIN, 72, a petty rent paid in kind.  
 Kend, 536, known.  
 Kepand, 512, keeping.  
 Keponis, 526, capons.  
 Kirkhaird, 524, churchyard.  
 Kirkys, 504, churches.  
 Kist, 377, chest.  
 Kists, 511, chests.  
 Knapit, 509, knobbed.  
 Knau, 371, know.  
 Knaulege, 392, knowledge.  
 Kno, 372, know.  
 Knok, 511, clock.  
 Knop, 508, knob.  
 Kye, 353, kine, cows.  
 Kyngrikis, 110, kingdoms.  
 Kyrk, 505, church.  
 Kythit, 542, showed.

LAICH, 344, low.  
 Laiche, 534, low.  
 Lamentabile, 504, lamentably.  
 Lange, 513, long.  
 Lard, 505, laird.  
 Largly, 507, largely.  
 Latt, 514, let.  
 Lauchfull, 505, lawful.  
 Lave, 406, rest.  
 Lawbour, 445, labour.  
 Lawer, 508, laver, jug.  
 Learne, 369, teach.  
 Leauing, 521, leaving.  
 Ledde, 371, let.  
 Leds, 511, leads.  
 Legendis, 273, legends.  
 Leid, 520, load.  
 Leif, 413, leave.  
 Leif, 512, live.  
 Leill, 533, true.  
 Les, 343, less, minor.  
 Lethron, 509, leathern.  
 Letting, 393, hindering.  
 Leuuinge, 512, leaving.  
 Levand, 532, living.  
 Leyth, 512, light.  
 Lichtit, 525, alighted.  
 Likis, 444, likes.  
 Limmars, 345, thieves.  
 Linine, 548, linnen.  
 Loiffis, 529, loaves.  
 Lordschypis, 504, lordships.  
 Louping our, 533, leaped over.  
 Luckit, 382, thriven.  
 Ludgit, 285, lodged.  
 Luf, lwf, 272, love.  
 Luffid, 444, loved.  
 Luke, 522, look.  
 Lunt, 509, match.  
 Lut, 526, lute.

MA, 505, May.  
 Mad, 518, made.  
 Maill, 527, meal.  
 Maintenance, 365, support.  
 Mair, 373, more.  
 Maison-dieu, 130, a hospital or foundation of charity.  
 Maist, 361, most.  
 Mak, 511, make.  
 Man, 444, servant, vassal.  
 Manheid, 343, manhood.  
 Manrent, 365, subjection.  
 Mantemyn, 506, support.  
 Manteym, 505, support.  
 Marchis, 506, boundaries.  
 Mareit, 343, married.  
 Mart, 376, an ox killed at Martinmas.  
 Maser, 509, bowl.  
 Meid, 520, made.  
 Meie, 520, more.  
 Meis, 376, a defined quantity of beef or brawn.  
 Menit, 532, meant.  
 Menschatts, 530, manchets, cakes.  
 Menyt us, 507, complained.  
 Meyn, 504, complain.  
 Midden, 381, dunghill.  
 Midlen, 508, middling.  
 Minassit, 533, menaced.  
 Mist, 521, must.  
 Mister, 512, want.  
 Moir, 521, more.  
 Moneth, 309, month.  
 Mortified, mortificat, 289, granted in mortmain.  
 Mot, 513, might.  
 Mowit, 506, moved.  
 Mownth, The, 443, the central range of mountains of Scotland.  
 Moyane, 534, means.  
 Muller, 521, picture frame.  
 Murriens, 378, helmets.  
 Muskingis, 523, mutchkins.  
 Mutch, 373, cap.  
 Myddis, 506, midst.  
 NA, 392, no.  
 Na, 392, nor.  
 Naige, 515, nag.  
 Nanc, Nain, 392, no, none.  
 Napery, 349, table-linen.  
 Nativi, 10, natives, neyfs, villains.  
 Naysh, 556, marsh?  
 Nepiking, 524, handkerchief.  
 Nobille, 504, noble.  
 Noch, 363, not.  
 Nocht, 226, not.  
 Nooks, 510, corners.  
 Nor, 228, than.

Norland, 528, north country.  
 Not, 286, notice.  
 Noter, 511, notary.  
 Nothyr, Nowther, 505, neither.  
 Noutis, 520, nuts, fir-cones.  
 Nychtbour, 505, neighbour.  
 ORLEZISSIS, 511, oblige.  
 Office-houis, 505, workshop.  
 Officeman, 505, workman.  
 Of-tuik, 357, took off.  
 On, 514, one.  
 Onkyndlie, 506, unkind?  
 Onoccupyt, 507, unoccupied.  
 Ontyll, 504, unto.  
 Onuexit, 505, unvexed.  
 Ony, 392, any.  
 Or, 522, e'er, before.  
 Ouss, 514, use.  
 Outuarat, 505, outward.  
 Ouyr, Our, 272, over, too.  
 Owche, 332, jewel.  
 Owr, 505, over.  
 Owrlukyt, 506, overlooked.  
 Ox-gang, 110, the measure of land proportioned to one ox of a plough.  
 PAES, 505, peace.  
 Pallium, 33, the robe appropriate to an Archbishop.  
 Pand, 374, paned, checked.  
 Pand, 509, skirt.  
 Pane, 393, pain.  
 Pantit, 511, painted.  
 Papis, 504, popes.  
 Parrell, 534, peril.  
 Pasmentis, 510, stripes sewed on.  
 Passit, 360, passed.  
 Peciable, 504, peaceable.  
 Peir, 343, pear.  
 Penis, 525, pens.  
 Percais, 506, perchance.  
 Persawend, 533, perceiving.  
 Persut, 507, persecution.  
 Peutor, 510, pewter.  
 Plage, 512, plague.  
 Plaisies, 371, pleases.  
 Plaittis, 508, plates.  
 Plenissing, 377, furniture.  
 Pleying, 228, playing.  
 Plough, 6, Ploughgate of land, what may be tilled with a plough of oxen.  
 Plwche, 507, plough.  
 Pock, 382, bag.  
 Point, 524, pint.  
 Policie, 347, ornamental ground round a mansion.  
 Poling, 530, polling.  
 Polising, 623, civilizing.

Posseid, 443, possess.  
 Pratti, 520, pretty.  
 Principale, 505, principally.  
 Prive, 393, privy.  
 Pulling, 388, polling.  
 Pwr, Puir, 504, poor.

QUAICH, 380, small drinking-cup.  
 Quantitie, 508, size.  
 Queit, 524, wheaten.  
 Queyt, 526, white.  
 Quha, 277, who.  
 Quham, 392, whom.  
 Quhatsumewyr, 504, whosoever.  
 Quhen, 272, when.  
 Quhidder, 165, whether.  
 Qubilk, 165, which.  
 Qubill, 504, till.  
 Quhingearis, 356, short swords.  
 Quhois, Quhais, 392, whose.  
 Quhoubeit, 506, howbeit.  
 Quhow, 505, how.  
 Quick, 513, live.  
 Quinzdor, 528, a gold piece.  
 Quitted, 363, payed.  
 Quayte, 522, part with.

RECKNING, 527, reckoning.  
 Rady, 520, ready.  
 Raid, 529, role.  
 Randir, 539, surrender.  
 Ratch, 509, lock.  
 Raxes, 510, spit-holders.  
 Reasit, 508, raised.  
 Redily, 392, readily.  
 Regent, 224, a master teaching in a university.  
 Reiving, 361, robbing.  
 Reive, 362, rob.  
 Reid, 509, red.  
 Remeid, 507, remedy.  
 Rememorans, 504, remembrance.  
 Rememorat 506, reminded.  
 Remowit, 506, removed.  
 Reparel, 443, repair.  
 Repledge, 160, to reclaim to another jurisdiction.  
 Resaue, 512, receive.  
 Resanit, 523, received.  
 Resoun, 505, reason.  
 Ressonis, 534, reasonings.  
 Rewlis, 272, rules.  
 Rewm, 507, realm.  
 Rig, 363, ridge, harvest-field.  
 Rigis, 512, Ridges, as the English acres.  
 Roungeid, 522, nibbled.  
 Rowmis, 512, rooms, farms.  
 Rugged, 364, tore.

SAIFLIK, 539, safely.  
 Saintjohnstown, 362, Perth.  
 Sair, 364, sore.  
 Salcum, 392, shall come.  
 Sall, 413, shall.  
 Salt-fatt, 508, salt-cellar.  
 Sammyn, 272, same.  
 Sanctis, 273, saints.  
 Sarkis, 373, shirts.  
 Sasers, 380, flat dishes.  
 Sasers, 508, saucers.  
 Saulis, 505, soula.  
 Saull, 532, soul.  
 Saw, 506, sow.  
 Sawlys, 504, souls.  
 Scauts, 543, little boats.  
 Schankit, 508, stalked.  
 Schapine, 508, shaped.  
 Schath, 507, skaith, harm.  
 Schau, 371, show.  
 Schauand, 272, showing.  
 Schaw, 541, show.  
 Schawin, 512, shown.  
 Schewit, 510, sewed.  
 Scho, 406, she.  
 Schone, 373, 527 shoes.  
 Schyris, 504, sirs.  
 Sculis, 223, schools.  
 Send, 357, sent.  
 Sendin, 363, sent.  
 Sensyne, 505, since then.  
 Scrwand, 505, servant.  
 Servitts, 510, napkins.  
 Sessnatt, 509, sarcenet.  
 Shaikhills, 379, shackles.  
 Shankis, 373, stockings.  
 Sheugar, 548, sugar.  
 Sic, 226, such.  
 Sic lyk, 228, in like manner.  
 Sicker, 409, secure.  
 Sindrie, 277, sundry.  
 Sixte, 444, sixty.  
 Skaith, 142, harm.  
 Skant, 362, scarce.  
 Slim, 522, slight, worthless.  
 Slot of the briest, 522, pit of the stomach.  
 Smyde, 505, smithy.  
 Snaw, 364, snow.  
 Sodden, 526, baked.  
 Sommys, 507 plough-traces.  
 Soorest, 519, surest.  
 Sopp, 548, soap.  
 Sorne, 362, to quarter by force.  
 Sotularum par, 391, pair of brogues?  
 Sour, 512, sure.  
 Span, 77, an Orkney measure of weight.  
 Speats, 381, floods.  
 Spekyne, 272, speaking.

- Spenis, 524, Spanish.  
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#### ERRORS AND OMISSIONS.

- Page 98, line 10, for *along* read *along with*.  
 Page 157, line 11, for *Celtix* read *Celtic*.  
 Page 170, Note, for *guerela* read *querela*.  
 Page 238, Note, for *impress* (twice) read *imprint*.  
 Page 273, Note, for *Knylos* read *Kynlos*.  
 Page 377, Note, for *Lathes* read *Lathes qu. Crathes?*  
 Page 420, Note 2, after *pedigree* add "Christian made ane marriage for herself with Nicolas Dunbar, merchant, burges of Edinburgh."  
 Page 424, Note, for *Bedenoch* read *Badenoch*.  
 Page 485, for 1851 read 1815.

#### THE COYGERACH OF ST. FILLAN—p. 389.

THE Coygerach (or Quigrich) of St. Fillan has emigrated to Canada, as mentioned in the text (p. 394). Dr. Daniel Wilson, Professor of History, at Toronto, the author of *Pre-historic Annals of Scotland*, who drew public attention to it in that valuable book, has been fortunate enough to disinter the actual relic in his new country. Dr. Wilson takes it for granted that it was the reliquary used for

containing the arm of St. Fillan, and explains how it may have served that purpose. That supposition seems to me mistaken; and the drawing and description given by Dr. Wilson leave no doubt that, whatever may have become of the arm of the Saint and its case, the Coygerach was one of those rich crozier-heads so frequently met with in church treasures in Catholic countries, many of which have had mysterious virtues attributed to them.

It is, says Dr. Wilson, a beautiful and elaborately wrought shepherd's crook, of silver gilt, wrought on a hollow core of copper, and measures nine and a quarter inches in height, and nearly seven and a half inches across from the point of the crook. The interlaced knot-work and other ornamentation is such as is well known on some of the silver and goldsmiths' work of early Italian work. The front is jewelled with a large oval crystal. Above this is a figure or bust of an ecclesiastic; while the lower end of the ridge terminates in the form of a snake's head, common on bronze relics of a late period.

The relic is now in the possession of Mr. Alexander Dewar, whose father carried it to Canada in 1818, and whose name, as well as the custody of the Coygerach, seems to mark him as a descendant of the Deores, the ancient custodiers.

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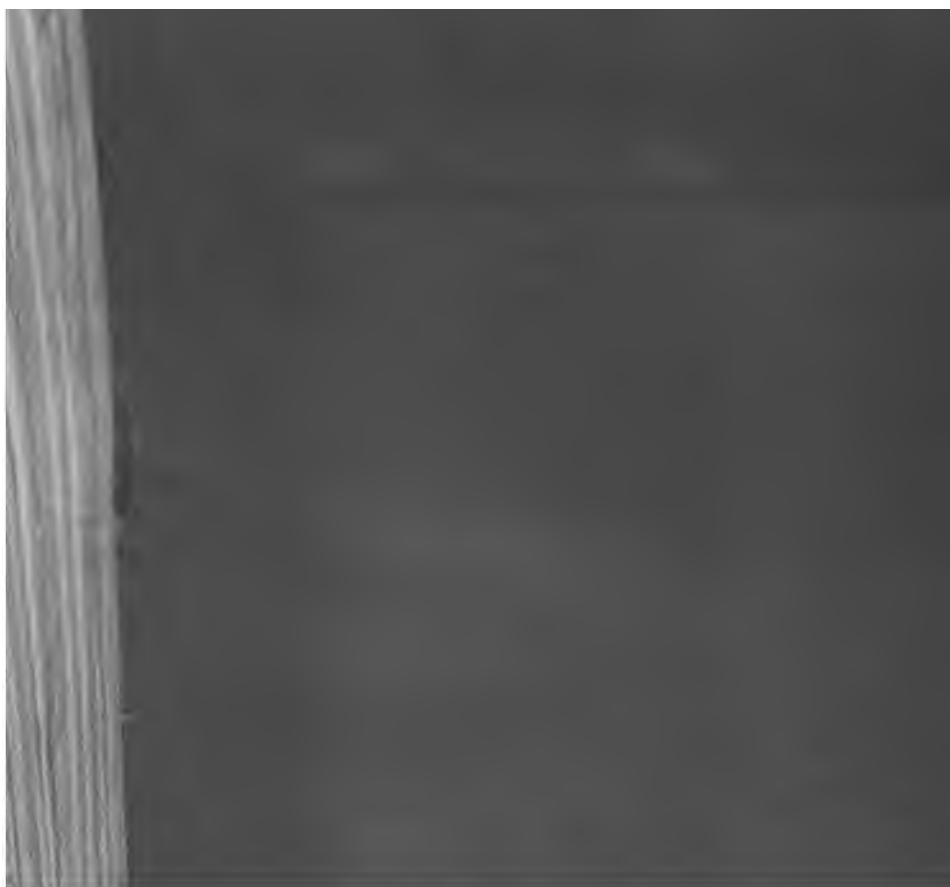
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